

federal register

THURSDAY, SEPTEMBER 2, 1976



highlights

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The six-month trial period ended August 6. The program is being continued on a voluntary basis (see OFR notice, 41 FR 32914, August 6, 1976). The following agencies have agreed to remain in the program:

Monday	Tuesday	Wednesday	Thursday	Friday
NRC	USDA/ASCS		NRC	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
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Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

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"THE FEDERAL REGISTER—WHAT IT IS AND HOW TO USE IT"

Weekly Briefings at the Office of the Federal Register

(For Details, See 41 FR 22997, June 8, 1976)

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PROCLAMATION 4452

White Cane Safety Day, 1976

By the President of the United States of America

A Proclamation

One of the basic rights which we as Americans cherish is the freedom of each citizen to move, without barriers, about this great land. For visually handicapped Americans, the white cane is both an instrument and symbol of independence, permitting a degree of mobility not otherwise possible.

A pathfinder, not a crutch, the white cane serves blind people as a sensitive transmitter of information. It signals the presence of obstacles and of changes in contour. It reassures by indicating the familiar as well as warning of the unexpected. To its user, the white cane provides the confidence to venture forth, to experience the world, and to participate fully in life.

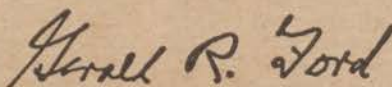
The white cane also serves to alert others. It reminds those of us who can see to exercise simple courtesy and common sense in approaching a blind person. By providing assistance when it is desired, or often just by yielding the right of way, we can help assure safe passage and safeguard the right of visually handicapped persons to enjoy unhindered mobility.

To make all Americans more fully aware of the significance and importance of the white cane and the need for extra alertness and consideration when approaching its user, the Congress, by a joint resolution approved October 6, 1964 (78 Stat. 1003; 36 U.S.C. 169d), has authorized the President to proclaim October 15 of each year as White Cane Safety Day.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, do hereby proclaim October 15, 1976, as White Cane Safety Day.

On this occasion, I urge all sighted Americans to increase their knowledge and understanding of the needs and rights of visually handicapped Americans. In particular, each of us should be prepared to heed the message of the white cane and grant its users the extra measure of care necessary to their physical safety, self-confidence, and peace of mind.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of September in the year of our Lord nineteen hundred seventy-six, and of the Independence of the United States of America the two hundred and first.



[FR Doc. 76-26009 Filed 9-1-76; 11:38 am]

rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 4—Accounts

CHAPTER III—COST ACCOUNTING STANDARDS BOARD

PART 414—COST OF MONEY AS AN ELEMENT OF THE COST OF FACILITIES CAPITAL

Effective Date

On June 2, 1976, a Cost Accounting Standard entitled Cost of Money as an Element of the Cost of Facilities Capital was published in the FEDERAL REGISTER (41 FR 22241 et seq.).

The effective date of the Standard which was reserved in the June 2 publication is October 1, 1976 and § 414.80 is therefore supplemented as follows.

§ 414.80 Effective date.

The effective date of this Standard is October 1, 1976.

(34 Stat. 796, sec. 103; (50 U.S.C. app. 2168))

ARTHUR SCHOENHAUT,
Executive Secretary.

[FR Doc.76-25717 Filed 9-1-76; 8:45 am]

Title 7—Agriculture

SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE

[Amdt. 4]

PART 16—LIMITATION ON IMPORTS OF MEAT

Subpart—Section 204 Import Regulations

RESTRICTION ON THE IMPORTATION OF MEAT FROM COSTA RICA

Part 16 is amended to prohibit the importation of meat in excess of 53.7 million pounds from Costa Rica during the calendar year 1976. This regulation is issued with the concurrence of the Secretary of State and the Special Representative for Trade Negotiations to carry out a bilateral agreement negotiated with the Government of Costa Rica pursuant to section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854). Since the action taken herewith has been determined to involve foreign affairs functions of the United States, this amendment falls within the foreign affairs exception to the notice and effective date provision of 5 U.S.C. 553 and shall become effective as set forth below.

The subpart, Section 204 Import Regulations of Part 16, Subtitle A of Title 7 (40 FR 31227), is amended as follows:

In § 16.4 paragraph (c) is revised to read as follows:

§ 16.4 Quantitative restrictions.

(c) Imports from Costa Rica. No more than 53.7 million pounds of meat which is

the product of Costa Rica may be entered, or withdrawn from warehouse, for consumption in the United States during the calendar year 1976.

Effective date: The regulation contained in this amendment shall become effective September 2, 1976, but meat released under the provisions of section 448(b) of the Tariff Act of 1930 (19 U.S.C. 1448(b)) prior to such date shall not be denied entry.

(Sec. 204, Pub. L. 540, 84th Cong., 70 Stat. 200, as amended (7 U.S.C. 1854), and Executive Order 11539, 35 FR 10733)

Issued at Washington, D.C., this 30th day of August 1976.

RICHARD E. BELL,
Assistant Secretary of
Agriculture.

[FR Doc.76-25821 Filed 9-1-76; 8:45 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Valencia Orange Reg. 543]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

PREAMBLE

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period September 3-9, 1976. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.343 Valencia Orange Regulation 543.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and

information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the respective quantities of Valencia oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Valencia orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges continues slow but is expected to improve following Labor Day. Prices f.o.b. for the week ending August 26 were \$3.53 per carton on 538 cars as compared with \$3.42 per carton on 614 cars during the prior week. Track and rolling supplies at 263 cars were down 23 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Valencia oranges which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views

at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on August 31, 1976.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period September 3, 1976, through September 9, 1976, are hereby fixed as follows:

(i) District 1: 292,000 cartons; (ii) District 2: 358,000 cartons; (iii) District 3: unlimited.

(2) As used in this section, "handled", "District 1", "District 2", "District 3", and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 1, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 76-26008 Filed 9-1-76; 11:36 am]

CHAPTER XI—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; MISCELLANEOUS COMMODITIES), DEPARTMENT OF AGRICULTURE

PART 1205—GENERAL REGULATIONS

Miscellaneous Amendments

On July 14, 1976, an amendment to the Cotton Research and Promotion Act (80 Stat. 279 et seq., 7 U.S.C. 2101-2119) was enacted into law (Pub. L. No. 94-366). Effective March 28, 1972 the Consumer and Marketing Service was renamed the Agricultural Marketing Service (37 FR 6327).

As a result of the amendment to the Act and the Agency's change of name, certain changes of a technical nature must be made in the rules of practice (7 CFR 1205.1-210) and the regulations (7 CFR 1205.401-600) issued under the Cotton Research and Promotion Act. Therefore, to effectuate these necessary changes and pursuant to authority contained in sections 12(a) and 15, 80 Stat. 284-285, 7 U.S.C. 2111(a) and 2114, said rules of practice and regulations are hereby amended as follows:

Subpart—Rules of Practice and Procedure Governing Proceedings to Formulate Orders Under the Cotton Research and Promotion Act

1. In § 1205.2, paragraph (a) is revised to read as follows:

§ 1205.2 Definitions.

(a) The term "Act" means the Cotton Research and Promotion Act, as amended (80 Stat. 279 et seq., 7 U.S.C. 2101-2119).

2. In § 1205.2, paragraph (e), substitute the words "Agricultural Marketing Service" for the words "Consumer and Marketing Service".

Subpart—Rules of Practice Governing Proceedings on Petitions To Modify or To Be Exempted From Orders

§ 1205.51 [Amended]

3. In § 1205.51, paragraph (a) is revised to read as follows:

(a) The term "Act" means the Cotton Research and Promotion Act, as amended (80 Stat. 279 et seq., 7 U.S.C. 2101-2119).

4. In § 1205.51, paragraph (e), substitute the words "Agricultural Marketing Service" for the words "Consumer and Marketing Service".

Subpart—Procedure for the Conduct of Referenda in Connection With Cotton Research and Promotion Orders

§ 1205.201 [Amended]

5. In § 1205.201, paragraph (a) is revised to read as follows:

(a) "Act" means the Cotton Research and Promotion Act, as amended (80 Stat. 279 et seq., 7 U.S.C. 2101-2119).

§ 1205.201 [Amended]

§ 1205.202 [Amended]

§ 1205.206 [Amended]

6. In §§ 1205.201(c), .201(e), .202(a) and .206(b), substitute the words "Agricultural Marketing Service" for the words "Consumer and Marketing Service".

Subpart—Members of Cotton Board

§ 1205.401 [Amended]

7. In § 1205.401, paragraph (a), substitute the words "Agricultural Marketing Service" for the words "Consumer and Marketing Service".

Subpart—Cotton Board Rules and Regulations

§ 1205.500 [Amended]

2. In § 1205.500, paragraph (e), substitute the words "Agricultural Marketing Service" for the words "Consumer and Marketing Service".

Effective date: The foregoing amendments shall become effective on September 2, 1976.

Dated: August 27, 1976.

WILLIAM T. MANLEY,
Deputy Administrator,
Program Operations.

[FR Doc. 76-25698 Filed 9-1-76; 8:45 am]

Title 14—Aeronautics and Space CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 76-NW-16-AD;
Amendment 39-2708]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing 737 Series Airplanes

Amendment 39-2630 (41 FR 22343) AD 76-11-05, as amended by Amendment 39-2667 (41 FR 27956) requires inspection of the elevator tab inboard hinge support structure on Boeing 737 series airplanes.

The AD permitted inspections by either a force/relative deflection test of elevator tab to elevator, or relative movement between the elevator rib and tee clip, which are option A and B, respectively, of Boeing Alert Service Bulletin No. 737-55-A1020. Subsequent to issuance of Amendment 39-2667, it was reported that operators have found cracks in the elevator rear spar with the tee clip fasteners intact. Based on these findings, it has been determined that the option "B" inspection may not detect a cracked spar and therefore, the AD is being amended to delete that inspection.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of the Federal Aviation Regulations, Amendment 39-2630 (41 FR 22343), AD 76-11-05, as amended by Amendment 39-2667 (41 FR 27956) is amended by paragraph C to read as follows:

C. Inspect for excessive deflection of the elevator tab, right and left hand, in accordance with the inspection procedures specified in Section III, Part I, paragraph C and D of Boeing Alert Service Bulletin No. 737-55-A1020, Revision 1, or later FAA approved revisions, or in a manner approved by the Chief, Engineering and Manufacturing Branch, FAA Northwest Region. If the elevator tab to elevator relative deflection exceeds 1/10 inch, prior to further flight, modify the elevator in accordance with the terminating action of paragraph D of this AD.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1).

All persons affected by this directive, who have not already received these

documents from the manufacturer, may obtain copies upon request to Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124. The documents may also be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective September 13, 1976.

(Secs. 313(a), 601, and 603 Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Seattle, Washington, August 23, 1976.

NOTE.—The incorporation by reference provisions in the document were approved by the Director of the Federal Register on June 19, 1967.

J. H. TANNER,
Acting Director, Northwest Region.

[FR Doc.76-25375 Filed 9-1-76; 8:45 am]

[Airworthiness Docket No. 72-WE-23-AD;
Amdt. 39-2707]

PART 39—AIRWORTHINESS DIRECTIVES Hughes 269 Series Helicopters

Amendment 39-1587 (87 FR 2331), AD 73-3-1, requires a visual and dye penetrant inspection of the tail boom center attach fitting P/N 269A2324 or P/N 269A2324-7, tail boom support struts P/N 269A2015, 269A2015-5, 269A2015-9, 269A2015-11 and center frame aft cluster fittings P/N 269A2230 at intervals not to exceed 200 hours time in service from the last inspection for early detection of possible damage caused by improper maintenance techniques and service loads on all Hughes Model 269A, 269A-1, 269B and 269C helicopters. After issuing Amendment 39-1587, due to service experience, the agency determined that the visual and dye penetrant inspections of the aluminum end fittings of the tail boom support struts assemblies P/N 269A2015 and 269A2015-5 at intervals not exceeding 200 hours do not provide an inspection interval that will adequately detect damage to the aluminum end fittings. Therefore, the AD is being superseded by a new AD that requires a periodic inspection of the aluminum end fittings at intervals not exceeding 50 hours and replacement of the existing aluminum end fittings on the tail boom support strut assemblies P/N 269A2015 on Hughes Model 269A, 269A-1, 269B and Military TH-55A helicopters and P/N 269A2015-5 on Hughes Model 269C helicopters, with stainless steel end fittings and attach bolts.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

HUGHES HELICOPTERS. Applies to Hughes Model 269 series (including military Model TH-55A) helicopters certificated in all categories equipped with tail boom support strut assemblies P/N 269A2015 or P/N 269A2015-5, tail boom center attached fitting P/N 269A2324 and center frame aft cluster fittings P/N 269A2234 (LH) and 269A2235 (RH).

Compliance required as indicated, unless already accomplished.

To prevent fatigue failure of the tail boom support strut installation and resultant loss of the helicopter flight controllability accomplish the following:

(a) For helicopters equipped with tail boom support strut assemblies P/N 269A2015 or 269A2015-5, within the next 50 hours time in service after the effective date of this AD and thereafter at intervals not to exceed 50 hours time in service from the last inspection until the modifications of paragraph (c) are accomplished:

(1) Support the tail boom and remove the tail boom support strut assemblies P/N 269A2015 on Hughes Model 269A, 269A-1, 269B and military TH-55A helicopter or P/N 269A2015-5 on Hughes Model 269C helicopter in accordance with the Hughes 269 Helicopter Basic Handbook of Maintenance Instructions Section 13;

(2) Visually inspect the tail boom support strut aluminum end fittings for deformation or damage and visually inspect the tail boom support strut aluminum end fittings for cracks using the dye penetrant method in accordance with Hughes Service Information Notice N-109.2 dated September 1, 1976 or later FAA-approved revisions.

(b) If deformation, damage, or cracks are found during the inspections required by paragraph (a), before further flight, accomplish the modifications of either paragraph (c) (1) or (c) (2).

(c) Within the next 500 hours time in service or one year whichever comes first, after the effective date of this AD:

(1) Modify the tail boom support strut assemblies P/N 269A2015 and 269A2015-5 by replacing the aluminum end fittings with stainless steel end fittings and attach bolts per Hughes Service Information Notice N-109.2 dated September 1, 1976 or later FAA-approved revisions, or

(2) Replace the P/N 269A2015 strut assemblies with Hughes P/N 269A2015-9 and replace the P/N 269A2015-5 strut assemblies with Hughes P/N 269A2015-11.

(d) For Hughes Model 269C helicopters, within the next 100 hours time in service, after the effective date of this AD, serialize the tail support strut assemblies P/N 269A2015-5 and P/N 269A2015-11 in accordance with Hughes Service Information Notice N-108 dated May 21, 1973 or later FAA-approved revisions.

(e) Within 200 hours time in service after the effective date of this AD and thereafter at intervals not to exceed 200 hours time in service from the last inspection until the modifications of paragraph (f) (2) are accomplished, inspect the tail boom center attach fittings P/N 269A2324 and center frame aft cluster fittings P/N 269A2234 (LH) and P/N 269A2235 (RH) for damage in accordance with Hughes Service Information Notice N-82.2 dated September 1, 1976 or later FAA-approved revisions.

(f) If damaged parts are found during the inspections required by paragraph (e), before further flight:

(1) Replace the damaged part with a serviceable part of the same part number, or

(2) Replace damaged tail boom center attach fittings P/N 269A2324 with Hughes P/N 269A2324-7 and replace damaged center frame aft cluster fittings P/N 269A2234 (LH) and P/N 269A2235 (RH) with Hughes P/N 269A2234-3 (LH) and P/N 269A2235-3 (RH).

(g) Equivalent procedures, inspections repairs, tail boom support strut assemblies, tail boom center attach fittings or center frame aft cluster fittings may be approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(h) Special flight permits may be issued to authorize operation of helicopter to a base for accomplishment of the inspections required by this AD per FAR's 21.197 and 21.199.

This supersedes amendment 39-1587 (38 FR 2331), AD 73-3-1.

This amendment becomes effective September 7, 1976.

(Sec. 313(a), 601 and 603 Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 and 1423); sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Los Angeles, California, August 23, 1976.

ROBERT H. STANTON,
Director, FAA Western Region.

[FR Doc.76-25374 Filed 9-1-76; 8:45 am]

[Docket No. 15774; Amdt. 39-2711]

PART 39—AIRWORTHINESS DIRECTIVES

Dowty Rotor Type (c)R193/4-30-4/50, (c)R257/4-30-4/60, and (c)R184/4-30-4/50 Propellers

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring inspection and rework, if necessary, of the affected Dowty Rotor propellers was published in the FEDERAL REGISTER on June 10, 1976, at 41 FR 23420.

Interested persons have been afforded an opportunity to participate in the making of the amendment and no objections were received.

This amendment is made under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

DOWTY ROTOR. Applies to Dowty Rotor Type (c)R193/4-30-4/50, (c)R257/4-30-4/60, and (c)R184/4-30-4/50 propellers having Hub Driving Centers, P/N 601026638, modified to Dowty Rotor Mod. No. (c)VP2486. These propellers are installed on, but not necessarily limited to, Fokker Model F-27, Fairchild Model FH-227, and Grumman Model G-159 Series airplanes.

NOTE: Dowty Rotor Mod. No. (c)VP2486 is covered in Dowty Rotor Service Bulletin 61-573A, dated June 1968, and the incorporation of the modification is required by AD 68-20-7.

Compliance is required at the next propeller overhaul or within the next 4700 hours propeller time in service after the effective date of this AD, whichever occurs first, unless already accomplished.

To prevent cracking and possible failure of the hub driving center due to improper machining, accomplish the following:

(a) For propellers that incorporate hub and driving center assemblies having the fol-

lowing serial numbers, rework the hub driving center to salvage scheme No. 640144000, in accordance with Dowty Rotor Service Bulletin 61-858, dated February 4, 1975, or an equivalent approved in accordance with paragraph (c) of this AD:

HUB AND DRIVING CENTER ASSEMBLY SERIAL NUMBERS

Propeller Type, R184/4-30-4/50

Serial No.:	
184/59/47	DRG/31/61
184/59/60	DRG/38/61
184/59/62	DRG/41/61
184/59/64	DRG/43/61
184/59/65	DRG/44/61
184/60/79	DRG/48/61
184/60/86	DRG/49/61
184/60/89	DRG/58/61
184/60/94	DRG/2/62
184/60/95	DRG/9/62
184/60/96	DRG/10/62
184/60/99	DRG/11/62
184/60/103	DRG/19/62
184/60/126	DRG/31/62
184/60/146	DRG/288/64
184/60/147	DRG/290/64
184/60/159	DRG/56/65
184/60/160	DRG/116/65
DRG/10/61	DRG/122/65
DRG/12/61	DRG/152/65
DRG/14/61	DRG/223/65
DRG/17/61	DRG/224/65
DRG/20/61	DRG/42/66
DRG/24/61	DRG/122/66
DRG/25/61	

Serial No.:

Propeller Type, R193/4-30-4/50

193/58/11	193/60/150
193/58/17	193/60/151
193/58/27	DRG/32/62
193/58/38	DRG/119/66
193/59/116	DRG/442/66
193/59/119	

Serial No.:

Propeller Type, R257/4-30-4/60

DRG/131/66	DRG/95/67
DRG/407/66	DRG/189/67
DRG/408/66	DRG/194/67
DRG/454/66	DRG/231/67
DRG/28/67	DRG/233/67
DRG/30/67	DRG/344/67
DRG/86/67	DRG/345/67
DRG/93/67	DRG/348/67

(b) For propellers that incorporate hub and driving center assemblies having serial numbers not listed in paragraph (a) of this AD, accomplish the following in accordance with Dowty Rotor Service Bulletin 61-858, dated February 4, 1975, or an equivalent approved in accordance with paragraph (c) of this AD:

(1) Inspect the hub driving center to verify correct machining.

(2) If the hub driving center is found to be incorrectly machined, rework the hub driving center to salvage scheme No. 640144000.

(c) The equivalent means of compliance specified in paragraphs (a) and (b) of this AD must be approved by the Chief, Aircraft Certification Staff, FAA Europe, Africa and Middle East Region c/o American Embassy, APO New York, N.Y. 09667.

This amendment becomes effective, on October 1, 1976.

Issued in Washington, D.C. on August 25, 1976.

**J. A. FERRARESE,
Acting Director,
Flight Standards Service.**

[FR Doc. 76-25509 Filed 9-1-76; 8:45 am]

[Docket No. 15698; Amdt. 39-2718]

PART 39—AIRWORTHINESS DIRECTIVES
Messerschmitt-Bolkow-Blohm Model BO-105A and BO-105C Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring periodic inspections and the replacement of the piston rods in the main rotor hydraulic servo actuators on certain Messerschmitt-Bolkow-Blohm (MBB) Model BO-105A and BO-105C helicopters was published in the FEDERAL REGISTER on May 13, 1976, (41 FR 19673).

Interested persons have been afforded an opportunity to participate in the making of the amendment and no objections were received.

This amendment is made under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of sections 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

MESSERSCHMITT-BOLKOW-BLOHM GMBH (MBB). Applies to Model BO-105A and BO-105C helicopters, certificated in all categories, incorporating Teledyne Hydra-Power hydraulic actuators, P/N 105-45021, with the following serial numbers: 1012, 1014, 1015, 1016, 1017, 1018, 1019, 1021, 1023, 1027, 1028, 1029, 1030, 1032, 1034, 1035, 1037, 1038, 1040, 1041, 1043, 1044, 1045, 1046, 1049, 1056, 1057, 1062, 1064, 1065, 1066, 1069, 1071, 1075, 1091, 1093, 1101, 1104, 1109, 1113, 1119, 1121, 1123, 1126, 1127, 1156, 1160, and 1161 which have piston rods, P/N D133-750.08E, with S/N's 101 through 440.

Compliance is required as indicated, unless already accomplished.

To prevent possible failure of the main rotor hydraulic actuator and loss of control of the helicopter, accomplish the following:

(a) Before the accumulation of 600 hours total helicopter time in service or within the next 25 hours time in service after the effective date of this AD, whichever occurs later, and thereafter at intervals not to exceed 600 hours time in service from the last inspection until modified in accordance with paragraph (e) of this AD, comply with paragraph (b) of this AD.

(b) Inspect the piston rods, P/N D133-750.08E, in the hydraulic actuators, P/N 105-45021, for cracks, using a dye penetrant method in accordance with Paragraph 2.B. of the "Accomplishment General" section of MBB Service Bulletin No. 40-19, dated June 2, 1975, or an FAA-approved equivalent.

(c) If a crack is found in a piston rod during an inspection specified in paragraph (b) of this AD, before further flight, replace the cracked piston rod with a serviceable part of same part number and continue to inspect in accordance with paragraph (b) of this AD at intervals not to exceed 600 hours time in service until the modification specified in paragraph (e) of this AD is accomplished.

(d) Comply with paragraph (e) of this AD as follows:

(1) For helicopters with less than 1800 hours total time in service on the effective date of this AD and for which it has been less than 4 years since the original issuance

of its airworthiness certificate, comply with paragraph (e) of this AD in accordance with paragraph (i) or (ii), whichever occurs later.

(i) Before the accumulation of 1800 hours total time in service or within four years of the date of original issuance of its airworthiness certificate, whichever occurs sooner.

(ii) Within the next 25 hours time in service after the effective date of this AD.

(2) For helicopters with 1800 hours or more total time in service on the effective date of this AD or helicopters for which the effective date of this AD is four years or more after the date of original issuance of its airworthiness certificate, comply with paragraph (e) of this AD within the next 25 hours time in service after the effective date of this AD.

(e) Disassemble the Teledyne Hydra-Power actuator, P/N 105-45021, and replace the piston rods, P/N D133-750.08E, which have S/N's 101 through 440 with serviceable parts of the same part number which have serial numbers other than 101 through 440.

This amendment becomes effective, on October 1, 1976.

Issued in Washington, D.C. on August 27, 1976.

**J. A. FERRARESE,
Acting Director,
Flight Standards Service.**

[FR Doc. 76-25658 Filed 9-1-76; 8:45 am]

[Docket No. 15621; Amdt. 39-2719]

PART 39—AIRWORTHINESS DIRECTIVES
Messerschmitt-Bolkow-Blohm Model BO-105A and BO-105C Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring replacement of the right outboard engine mount flanges and washers with flanges and washers of improved design on Messerschmitt-Bolkow-Blohm (MBB) Model BO-105A and BO-105C helicopters was published in the FEDERAL REGISTER at 41 FR 17931.

Interested persons have been afforded an opportunity to participate in the making of the amendment and no objections were received.

This amendment is made under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

MESSERSCHMITT-BOLKOW-BLOHM (MBB). Applies to Model BO-105A and BO-105C helicopters, Serial Numbers 1 through 280, certificated in all categories.

Compliance is required as indicated, unless already accomplished.

To prevent failure of the engine mount assembly, accomplish the following:

(a) For helicopters with 500 hours or less total time in service on the effective date of this AD, comply with paragraph (c) of this AD before the accumulation of 600 hours total time in service.

(b) For helicopters with more than 500 hours total time in service on the effective date of this AD, comply with paragraph (c) of this AD within the next 100 hours time in service.

(c) Determine the part numbers of the existing right outboard engine mount flanges and washers and their corresponding replacement flanges and washers and replace the existing flanges and washers with the new flanges and washers in accordance with paragraph 2 entitled "Accomplishment Instructions" of MBB BO-105 Service Bulletin No. 60-25, Revision 1, dated October 13, 1975, or an FAA-approved equivalent.

This amendment becomes effective, on October 1, 1976.

Issued in Washington, D.C., on August 27, 1976.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc.76-25659 Filed 9-1-76; 8:45 am]

[Docket No. 76-GL-17; Amdt. 39-2713]

PART 39—AIRWORTHINESS DIRECTIVES

Bellanca Models 14-19, 14-19-2, 14-19-3, 14-19-3A, 17-30, 17-30A, 17-31, 17-31A, 17-31TC and 17-31ATC Airplanes

Amendment 39-2583 (41 FR 16793), Airworthiness Directive 76-08-04, effective April 22, 1976, requires inspection for wood deterioration on Bellanca Models 14-19-2, 14-19-3, 14-19-3A, 17-30, 17-30A, 17-31, 17-31A, 17-31TC and 17-31ATC airplanes certificated in all categories. After issuing Amendment 39-2583, the Agency determined that Bellanca Model 14-19 should be included in the Airworthiness Directive.

Since a situation exists that requires immediate adoption of this regulation, it is found the notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-2583 (41 FR 16793), Airworthiness Directive 76-08-04 is amended by adding Bellanca Model 14-19 to the Airworthiness Directive as follows:

BELLANCA AIRCRAFT CORPORATION. Applies to Bellanca Models 14-19, 14-19-2, 14-19-3, 14-19-3A, 17-30, 17-30A, 17-31, 17-31A, 17-31TC and 17-31ATC certificated in all categories.

This amendment becomes effective September 9, 1976.

(Sees. 313(a), 601, and 603 Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Des Plaines, Illinois, on August 26, 1976.

LEON C. DAUGHERTY,
Acting Director, Great Lakes Region.

[FR Doc.76-25827 Filed 9-1-76; 8:45 am]

[Docket No. 76-GL-16; Amdt. 39-2712]

PART 39—AIRWORTHINESS DIRECTIVES

Enstrom Models F-28, F-28A, 280, F-28C and 280C

Pursuant to the authority delegated to me by the Administrator (49 CFR 11.89), an airworthiness directive was adopted on August 16, 1976, and made effective immediately as to all known United States operators of Enstrom helicopters Models F-28, F-28A, 280, F-28C and 280C. The directive requires Enstrom helicopter owners to disassemble the tail rotor assembly, periodically inspect the tail rotor spindle, and report any evidence of cracks along with certain technical information to the Chief, Engineering and Manufacturing Branch, Great Lakes Region, FAA.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known United States operators of Enstrom helicopters Models F-28, F-28A, 280, F-28C and 280C by individual airmail letters dated August 17, 1976. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

ENSTROM. Applies to Enstrom Models F-28, F-28A, F-28C, 280 and 280C helicopters certificated in all categories with tail rotor spindle part number 28-15202. Because of failures of the tail rotor spindle with subsequent loss of directional control within the next five hours time in service after receipt of this airmail letter and thereafter at intervals not to exceed 100 hours time in service from the last inspections and/or immediately after any reported tail rotor strike, whichever occurs first, accomplish the following:

A. Remove, disassemble and clean tail rotor assembly in accordance with manufacturer's recommended procedures so that the tail rotor spindle may be inspected; Caution: To maintain proper balance, all parts must be marked and returned to their original position in the assembly.

B. Check spindle shaft runout (total indicator reading—T.I.R.) at the 0.668" diameter section. Remove from service any spindle which exceeds .001" T.I.R. Replace with an airworthy spindle of same part number or later FAA-approved part number. (A new part of the same part number is still subject to the inspection provisions of this A.D.)

C. Inspect the tail rotor spindle in the fillet radius area where spindle section decreases from approximately 0.87 inches to 0.67 inches using dye penetrant, magnetic particle or other methods approved by the Chief, Engineering & Manufacturing Branch, Great Lakes Region, FAA. Caution: If magnetic particle inspection is used, it is necessary to remove KP16B bearing to prevent contamination.

D. If cracks are found, remove the tail rotor spindle from service and replace with a serviceable part of the same part number or later FAA-approved part number before further flight. (A new part of the same part number is still subject to the inspection provisions of this A.D.)

E. If no cracks are found, reassemble tail rotor in exact reverse order of disassembly and torque lock nut to 40-50 ft. lbs in accordance with manufacturer's recommended procedures. Return assembly to service until next required inspection.

F. Report the following to Chief, Engineering and Manufacturing Branch, AGL-210, Great Lakes Region, FAA, 2300 East Devon Avenue, Des Plaines, Illinois 60018:

1. Initial torque of lock nut found during disassembly in (A) above.

2. T.I.R. of spindle shaft found in (B) above.

3. Any cracks found in accordance with (D) above.

(Reporting approved by the Bureau of the Budget under BOB No. 04-RO174.)

Enstrom Service Directive Bulletin No. 37 covers this same subject.

This amendment is effective September 9, 1976, and was effective upon receipt for all recipients of the airmail letters dated August 17, 1976 which contained this amendment.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a) (1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to The Enstrom Helicopter Corporation, Menominee County Airport, P.O. Box 277, Menominee, Michigan 49858. These documents may also be examined at the FAA Great Lakes Region, Engineering and Manufacturing Branch, AGL-210, 2300 East Devon Avenue, Des Plaines, Illinois. A historical file on this AD which includes the incorporated material in full is also maintained at that office.

The incorporation by reference provisions in this document was approved by the Director of the Federal Register on June 19, 1967.

(Sec. 313(a), 601, and 603 Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Des Plaines, Illinois on August 26, 1976.

LEON C. DAUGHERTY,
Acting Director, Great Lakes Region.

[FR Doc.76-25826 Filed 9-1-76; 8:45 am]

[Docket No. 76-CE-25-AD; Amdt. 39-2714]

PART 39—AIRWORTHINESS DIRECTIVES

Gates Learjet Models 24, 25, 35, and 36 Airplanes

There has been an incident involving a Gates Learjet Model 35 airplane in which it was discovered that the AC inverter power input wiring to the No. 1 and No. 2 AC inverters were cross wired to their opposite DC generator buses. This condition, if not detected and corrected, could result in the loss of AC power to the flight instruments and under certain operating situations would be extremely hazardous. Since this condition may exist on other aircraft of the same type design, an Airworthiness Directive (AD) is being issued, applicable to certain serial numbers of Gates Learjet Models 24, 25,

35 and 36 airplanes. It will require a check of the aircraft's inverters for proper operation and if the check proves unsatisfactory, rewiring of the aircraft's electrical system and a recheck to verify proper operation, all in accordance with applicable manufacturer's service bulletins.

Since a situation exists which requires expeditious adoption of the amendment, notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.89 (31 FR 13697), Section 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD.

GATES LEARJET. Applies to Models 24 (Serial Numbers 24-230 thru 24-331 and 24-333); 25 (Serial Numbers 25-061 and 25-067 thru 25-207); 35 (Serial Numbers 35-001 thru 35-079); and 36 (Serial Numbers 36-001 thru 36-020) airplanes.

Compliance: Required as indicated, unless already accomplished.

To determine that each inverter is connected to the correct power bus, within the next 25 hours' time in service after the effective date of this AD, accomplish the following in accordance with Gates Learjet Service Bulletins SB 24/25-273, dated August 9, 1976, or SB 35/36-24-3, dated August 9, 1976, or later approved revisions, as applicable:

(A) Perform inverter operational check as outlined in the aforementioned Service Bulletins.

(B) If the electrical system does not operate as indicated re the operational checks required by Paragraph A, rewire the inverter input power wiring per the applicable manufacturer's Service Manual Wiring Diagram and repeat the operational check required by Paragraph A to verify proper operation of the electrical system.

(C) Any equivalent method of compliance with this AD must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This amendment becomes effective September 10, 1976.

(Secs. 313(a), 601 and 603 Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 and 1423); sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Kansas City, Missouri, on August 26, 1976.

JOHN E. SHAW,
Acting Director, Central Region.

[FR Doc. 76-25828 Filed 9-1-76; 8:45 am]

[Airworthiness Docket No. 76-WE-3-AD; Amdt. 39-2717]

PART 39—AIRWORTHINESS DIRECTIVES McDonnell Douglas DC-10 Series Airplanes

Amendment 39-2567 (41 FR 14366), AD 76-07-06 requires application of operating limitations, or deactivation of the auto spoilers, or other equivalent approved procedures to assure automatic disarming in the event of inadvertent deployment of the spoiler during take-off. After issuing Amendment 39-2567,

the McDonnell Douglas Corporation released Service Bulletin 27-147 dated July 16, 1976, which modifies the ground spoiler knockdown cam assembly such that the aforementioned deactivation or limitations are no longer necessary. Therefore, the FAA is amending this AD to provide for removal of the operating limitations and deactivation requirements defined in Amendment 39-2567, after incorporation of Service Bulletin 27-147 on all affected airplanes in an operator's fleet. Incorporation on a fleet-wide basis is necessary to avoid the added pilot work load and possible uncertainty in determining whether the above service bulletin is accomplished in the specific airplane to be flown.

Since this amendment relieves restrictions and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-2567 (41 FR 14366), AD 76-07-06 is amended by adding paragraph (d) as follows:

McDONNELL DOUGLAS * * *

(d) The limitations required by paragraphs (a) and (b) and the placard required by paragraph (c) may be removed and the auto-spoilers system may be reactivated after all ground spoiler knockdown cam assemblies on applicable airplanes in an operator's fleet have been replaced in accordance with McDonnell Douglas Service Bulletin 27-147 dated July 16, 1976 or later FAA approved revisions or production equivalents approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment becomes effective September 10, 1976.

(Secs. 313(a), 601, and 603 Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Los Angeles, California on August 26, 1976.

W. K. FISHER,
Acting Director,
FAA Western Region.

[FR Doc. 76-25831 Filed 9-1-76; 8:45 am]

[Docket No. 76-EA-55; Amdt. 39-2715]

PART 39—AIRWORTHINESS DIRECTIVES Piper Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to Piper PA-30 and PA-30 type aircraft.

There have been reports of cracks in the bend relief cutouts of the forward fin attachment channel assembly on the subject type aircraft. Since this deficiency can exist or develop on similar type aircraft, an airworthiness directive is being issued which will require the inspection and, if necessary replacement of the forward fin attachment channel.

In view of the foregoing and because the deficiency is one which affects air safety, notice and public procedure hereon are impractical and good cause exists for making the amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 FR 13697) § 39.13 of Part 39 of the Federal Aviation Regulations is amended by issuing a new Airworthiness Directive as follows:

PIPER: Applies to Models PA-30, Serial Nos. 30-1 through 30-2000, and PA-39, Serial No. 39-1 through 39-155 Certificated in all Categories

To prevent possible hazards in flight associated with cracks in the radius of the bend relief holes of the forward fin attachment channel assembly accomplish the following within the next 50 hours in service from the effective date of this AD unless previously accomplished.

a. Visually inspect the forward fin attachment channel P/N 22903-00 around the radius of the bend relief cutouts for cracks using a magnifying glass of at least five power or an approved equivalent inspection.

b. Cracked parts must be replaced with a part of the same number or equivalent that has been inspected in accordance with this AD and found acceptable prior to further flight, except that the Airplane may be flown in accordance with FAR 21.197 to a base where a repair can be made.

c. Equivalent inspections and parts must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region. (Piper Service Letter No. 77 refers to this subject).

This amendment is effective September 10, 1976.

(Sec. 313(a), 601 and 603 Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 and 1423), and sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Jamaica, N.Y., on August 26, 1976.

L. J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc. 76-25829 Filed 9-1-76; 8:45 am]

[Docket No. 76-EA-57; Amdt. 39-2716]

PART 39—AIRWORTHINESS DIRECTIVES Piper Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to Piper PA-31T type aircraft.

There have been reports of cracking of the elevator hinge bearings and other parts of the elevator and elevator tab support structure on the subject type aircraft. Since this deficiency can exist or develop on similar type aircraft, an airworthiness directive is being issued which will require alteration of the stabilizer/elevator/elevator tab structure by incorporation of a kit.

In view of the foregoing and because the deficiency is one which affects air safety, notice and public procedure hereon are impractical and good cause exists for making the amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 [31 FR 13697] § 39.13 of Part 39 of the Federal Aviation Regulations is amended by issuing a new Airworthiness Directive as follows:

PIPER: Applies to Model PA-31T, Serial Nos. 31T-7400001 through 31T-7620039 certificated in all categories.

To prevent possible hazards in flight associated with cracks in the elevator and elevator tab support structure, accomplish the following within the next fifty hours in service after the effective date of this AD unless previously accomplished.

(a) Alter the stabilizer/elevator/elevator tab structure in accordance with Piper Elevator Hinge Modification Kit No. 761 056 or approved equivalent alteration.

(b) Equivalent alterations must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region. (Piper Service Bulletin No. 504 refers to this subject).

This amendment is effective September 10, 1976.

(Secs. 313(a), 601 and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 and 1423), and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on August 26, 1976.

L. J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc.76-25830 Filed 9-1-76;8:45 am]

[Airspace Docket No. 76-CE-8]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area; Correction

On July 15, 1976, a Final Rule was published in the FEDERAL REGISTER (41 FR 29094), FR Doc. 76-20363, which in part altered the transition area at Grain Valley, Missouri. However, in the alteration redesignation the last line thereof incorrectly reads "area to 8 miles northeast of the airport". It should have read "area to the VORTAC". Action is taken herein to make this correction.

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, "area to 8 miles northeast of the airport" as set forth in the Grain Valley, Missouri, transition area redesignation in FR Doc. 76-20363 is deleted and "area to the VORTAC" is substituted therefor.

(Sec. 307(a) Federal Aviation Act of 1958 (49 U.S.C. 1348); sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Kansas City, Missouri, on August 20, 1976.

C. R. MELUGIN, Jr.,
Director, Central Region.

[FR Doc.76-25610 Filed 9-1-76;8:45 am]

[Airspace Docket No. 76-SW-39]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the transition area at Oklahoma City, Okla.

On July 12, 1976, a notice of proposed rule making was published in the FEDERAL REGISTER (41 FR 28534) stating the Federal Aviation Administration proposed to alter the transition area at Oklahoma City, Okla.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.M.T., November 4, 1976, as hereinafter set forth.

In Section 71.181 (41 FR 440), the Oklahoma City, Okla., transition area is amended by deleting:

and within a 5-mile radius of the Cimarron, Okla., Municipal Airport (latitude 35°29'15" N., longitude 97°49'00" W.)

and adding:

within 2 miles each side of the Wiley Post VOR (latitude 35°31'58.4" N., longitude 97°38'48.7" W.) 269° radial extending from the 23-mile-radius area to 7 miles west of the Wiley Post VOR; and within a 5-mile radius of the Cimarron, Okla., Municipal Airport (latitude 35°29'15" N., longitude 97°49'00" W.).

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Fort Worth, Tex., on August 24, 1976.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc.76-25660 Filed 9-1-76;8:45 am]

[Airspace Docket No. 76-SW-38]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the transition area at Ardmore, Okla.

On July 12, 1976, a notice of proposed rule making was published in the FEDERAL REGISTER (41 FR 28535) stating the Federal Aviation Administration proposed to alter the transition area at Ardmore, Okla.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.M.T., November 4, 1976, as hereinafter set forth.

In § 71.181 (41 FR 440), the Ardmore, Okla., transition area is amended by adding:

and within 3.5 miles each side of the 168° bearing from the Downtown Ardmore NDB (latitude 34°09'20" N., longitude 97°07'35" W.) extending from the 5-mile-radius area to 11.5 miles south of the NDB.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Fort Worth, Tex., on August 24, 1976.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc.76-25661 Filed 9-1-76;8:45 am]

[Airspace Docket No. 76-SO-57]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On July 12, 1976, a notice of proposed rule making was published in the FEDERAL REGISTER (41 FR 28533), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Greenville, Ky., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. There were no comments received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.M.T., November 4, 1976, as hereinafter set forth.

In § 71.181 (41 FR 440), the following transition is added:

GREENVILLE, KY.

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Muhlenberg County Airport (lat. 37°13'30" N., long. 87°09'31" W.).

(Sec. 307(a) Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in East Point, Ga., on August 23, 1976.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.76-25663 Filed 9-1-76;8:45 am]

[Airspace Docket No. 76-SO-79]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Miami, Fla., transition area.

The Miami transition area is described in § 71.181 (41 FR 440) and contains an extension predicated on the 269° bearing of the Perrine RBN. The initial approach

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bearing for the NDB RWY 9R instrument approach procedure has been changed from 269° to 274° and it is necessary to alter the description to reflect this change. Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT, November 4, 1976, as hereinafter set forth.

In § 71.181 (41 FR 440), the Miami, Fla., transition area is amended as follows:

"* * * 269° * * *" is deleted and
 "* * * 274° * * *" is substituted therefor.

(Sec. 307(a) Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in East Point, Ga., on August 23, 1976.

PHILLIP M. SWATEK,
 Director, Southern Region.

[FR Doc. 76-25664 Filed 9-1-76; 8:45 am]

[Airspace Docket No. 76-SO-59]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On July 12, 1976, a notice of proposed rule making was published in the FEDERAL REGISTER (41 FR 28533), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Ocracoke, N.C., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT, November 4, 1976, as hereinafter set forth.

In § 71.181 (41 FR 440), the following transition area is added:

Ocracoke, N.C.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Ocracoke Island Airport (lat. 35°06'04" N., long. 75°57'57" W.); within 3 miles each side of the 059° bearing from the Ocracoke RBN (lat. 35°06'16" N., long. 75°57'50" W.), extending from the 5-mile radius area to 8.5 miles northeast of the RBN, excluding the portion outside the continental limits of the United States.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in East Point, Ga., on August 23, 1976.

PHILLIP M. SWATEK,
 Director, Southern Region.

[FR Doc. 76-25665 Filed 9-1-76; 8:45 am]

[Airspace Docket No. 76-SO-56]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On July 12, 1976, a notice of proposed rulemaking was published in the FEDERAL REGISTER (41 FR 28534) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Hopkinsville, Ky., control zone and transition area.

Interested persons were afforded an opportunity to participate in the rulemaking through the submission of comments. No comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT, November 4, 1976, as hereinafter set forth.

In § 71.181 (41 FR 40), the Hopkinsville control zone is amended to read:

HOPKINSVILLE, KY.

"* * * within 1.5 miles each side of Campbell TACAN 053° radial, extending from the 5-mile radius zone to 5.5 miles northeast of the TACAN; * * *" is deleted. In addition, "* * * the VOR * * *" is deleted and "* * * the VOR; within a 5-mile radius of Sabre Army Heliport, Ft. Campbell, Ky. (lat. 36°34'14" N., long. 87°28'50" W.) * * *" is substituted therefor.

In § 71.181 (41 FR 40), the Hopkinsville transition area is amended to read:

HOPKINSVILLE, KY.

"* * * long. 87°24'52" W.) * * *" is deleted and "* * * long. 87°24'52" W.); within a 5-mile radius of Sabre Army Heliport, Ft. Campbell, Ky. (lat. 36°34'14" N., long. 87°28'50" W.) * * *" is substituted therefor.

(Sec. 307(a) Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in East Point, Ga., on August 23, 1976.

PHILLIP M. SWATEK,
 Director, Southern Region.

[FR Doc. 76-25666 Filed 9-1-76; 8:45 am]

[Airspace Docket No. 76-SO-60]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Control Zone

On July 12, 1976, a notice of proposed rulemaking was published in the FEDERAL REGISTER (41 FR 28533), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Bogue, N.C., control zone.

Interested persons were afforded an opportunity to participate in the rulemaking through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT, November 4, 1976, as hereinafter set forth.

In § 71.171 (41 FR 355), the following control zone is added:

BOGUE, N.C.

Within a 5-mile radius of MCALF Bogue Field, N.C., (latitude 34°41'25" N., longitude 77°01'46" W.). This control zone is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

(Sec. 307(a) Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in East Point, Ga., on August 24, 1976.

PHILLIP M. SWATEK,
 Director, Southern Region.

[FR Doc. 76-25667 Filed 9-1-76; 8:45 am]

[Airspace Docket No. 76-WA-14]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Extension of Federal Airway

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to extend the Clarksburg, W. Va., 139°M(135°T) radial in V-162 from 29 NM to 32 NM.

Since this amendment is a minor matter on which the public would have no particular desire to comment and no substantive change in the regulations is effected, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT, November 4, 1976, as hereinafter set forth.

§ 71.123 (41 FR 307) is amended as follows:

In V-162 "Elkins, W. Va., 092°" is deleted and "Elkins, W. Va., 098°" is substituted therefor.

(Sec. 307(a) Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on August 27, 1976.

WILLIAM E. BROADWATER,
 Chief, Airspace and Air
 Traffic Rules Division.

[FR Doc. 76-25668 Filed 9-1-76; 8:45 am]

[Airspace Docket No. 76-GL-21]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration and Extension of VOR Airway

On June 10, 1976, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (41 FR 23421) stating that the Federal Aviation Adminis-

tration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would extend V-217 from Duluth, Minn., VORTAC to Winnipeg, Manitoba, VORTAC and re-align V-129W between the Hibbing, Minn., VORTAC and the International Falls, Minn., VORTAC.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. The Department of the Air Force objected to the proposed airway transiting the Beaver MOA since it has been established for Air Force training activities. The FAA concurs with the Air Force and the portion of the airway which lies within the Beaver MOA will be excluded during the times the Beaver MOA is activated.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., November 4, 1976, as hereinafter set forth.

§ 71.123 (41 FR 307, 30104) is amended as follows:

1. In V-129 "INT Hibbing 325" is deleted and "INT Hibbing 319" is substituted therefor.

2. In V-217 "Duluth, Minn." is deleted, and "Duluth, Minn.; Hibbing, Minn.; Baudette, Minn.; INT Baudette 313" and Winnipeg, Manitoba, 108° radials; to Winnipeg. The airspace within Canada is excluded. In addition, the portion of this airway which lies within the Beaver MOA is excluded during the times the Beaver MOA is activated." is added.

(Sec. 307(a) Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c) Department of Transportation Act (49 U.S.C. 1555(c)).)

Issued in Washington, D.C., on August 27, 1976.

WILLIAM E. BROADWATER,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc.76-25671 Filed 9-1-76; 8:45 am]

[Airspace Docket No. 75-NW-2]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Additional Control Area

On July 1, 1976, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (41 FR 27084) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would establish offshore controlled airspace on the United States west coast.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No objections were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., November 4, 1976, as hereinafter set forth.

In § 71.163 (41 FR 348) the Newport, Oreg., additional control area is added as follows:

NEWPORT, OREG.

That airspace extending upward from 5,000 feet MSL bounded on the north by the Vancouver Oceanic Control boundary, on the east by a line beginning at Lat. 48°30'00" N., Long. 124°44'00" W., thence extending southward 3 nautical miles west of and parallel to the shoreline, thence via the west edge of V-27W and V-27 to the Oakland ARTCC Flight Advisory Area, on the south by the Oakland ARTCC Flight Advisory Area, and on the west by the Oakland Oceanic Control boundary.

(Secs. 307(a) and 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348(a), and 1510), Executive Order 10854 (24 FR 9565); sec. 6(c), Department of Transportation Act (49 U.S.C. 1555(c)).)

Issued in Washington, D.C., on August 27, 1976.

WILLIAM E. BROADWATER,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc.76-25672 Filed 9-1-76; 8:45 am]

[Airspace Docket No. 76-EA-17]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Correction to Effective Date

The effective date for the subject docket as published in the FEDERAL REGISTER of July 1, 1976 (41 FR 27029) is December 30, 1976. Due to acceleration of site acquisition, the effective date of the proposed rule altering the Allentown, Pa., Control Zone (41 FR 357) and Transition Area (41 FR 443) is hereby advanced to 0901 GMT November 4, 1976.

(Sec. 307(a) Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348), and sec. 6(c) Department of Transportation Act (49 U.S.C. 1555(c)).)

Issued in Jamaica, N.Y. on August 26, 1976.

L. J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc.76-25825 Filed 9-1-76; 8:45 am]

[Airspace Docket No. 76-GL-8]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On page 11841 of the FEDERAL REGISTER dated March 22, 1976, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Litchfield, Illinois.

Interested persons were given 30 days to submit written comments, suggestions or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below.

This amendment shall be effective 0901 GMT, November 4, 1976.

(Sec. 307(a) Federal Aviation Act of 1958 (49 U.S.C. 1348), and sec. 6(c) Department of Transportation Act (49 U.S.C. 1555(c)).)

Issued in Des Plaines, Illinois on August 26, 1976.

LEON C. DAUGHERTY,
Acting Director,
Great Lakes Region.

In § 71.181 (41 FR 440), the following transition area is added:

LITCHFIELD, ILLINOIS

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Litchfield Municipal Airport (latitude 39°09'54" N., longitude 89°40'22" W.); and within 3 miles each side of the 079° bearing from the airport, extending from the 5-mile radius area to 8 miles east of the airport.

[FR Doc.76-25824 Filed 9-1-76; 8:45 am]

[Airspace Docket No. 76-WE-9]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 73—SPECIAL USE AIRSPACE

Designation of Temporary Restricted Areas

On April 8, 1976, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (41 FR 14896) stating that the Federal Aviation Administration (FAA) was considering amendments to Parts 71 and 73 of the Federal Aviation Regulations that would designate several temporary restricted areas over portions of Calif., and Nev., for use in evaluating the capability of an airborne aircraft to provide command, control, communications and surveillance for tactical forces in a congested area. Military Air Maneuvers in support of this test will be conducted from 0800 PST to 1200 PST daily, November 8, 1976, through November 16, 1976. These restricted areas would also be included in the Continental Control Area for the duration of their time of designation.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Three comments were received, all objecting to the proposal. After consultation with the Department of the Air Force, these objections were withdrawn. Additionally, because of the length of consultations and the unavailability of certain types of aircraft pertinent to this exercise, the times/dates of the exercise have been set back as indicated. All concerned parties have been so advised and their concurrence has been received. Further, the Department of the Air Force requested that the following statement be made in order to emphasize the short duration of the test exercise. "Sorties exceeding 430 for each daily evaluation will be conducted twice, with a nonflying day between to analyze collected data. Weather permitting, the test will be conducted on November 8 and 10, 1976, at which time the temporary restricted area will be returned to FAA. If

weather precludes conducting the test on November 8 and 10, the entire test will slip until favorable weather conditions are available, during the November 8 through 16 time frame."

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations is amended, effective 0901 GMT, November 4, 1976, as hereinafter set forth.

In § 71.151 (41 FR 345) the following temporary restricted areas are included for the duration of their time of designation from 0800 PST to 1200 PST daily, November 8, 1976, through November 16, 1976.

R-4818A Sierra, Nev. R-4818G1 Sierra, Nev.
R-4818B Sierra, Nev. R-4818G2 Sierra, Nev.
R-4818C Sierra, Nev. R-4818H1 Sierra, Nev.
R-4818D Sierra, Nev. R-4818H2 Sierra, Nev.
R-4818E Sierra, Nev. R-4818I1 Sierra, Nev.
R-4818F1 Sierra, Nev. R-4818I2 Sierra, Nev.
R-4818F2 Sierra, Nev.

In § 73.48 (41 FR 681) the following temporary restricted areas are added:

R-4818A SIERRA, NEV.

Boundaries. Beginning at Lat. 36°30'00" N., Long. 116°47'00" W., clockwise to Lat. 35°39'00" N., Long. 115°53'00" W., to Lat. 35°19'00" N., Long. 116°19'00" W., thence along the eastern and northern boundaries of R-2502E, R-2502N, and R-2524 to Lat. 35°38'00" N., Long. 117°26'00" W., to Lat. 35°40'25" N., Long. 117°25'00" W., thence along the eastern and northern boundaries of R-2505 to Lat. 36°14'00" N., Long. 117°53'00" W., to Lat. 36°14'00" N., Long. 118°34'30" W., to Lat. 37°12'00" N., Long. 118°34'30" W., to Lat. 37°12'00" N., Long. 117°20'00" W., to Lat. 36°30'00" N., Long. 116°55'00" W., to point of beginning.

Designated altitudes. 3000 feet AGL to FL 200.

Time of designation. 0800 PST to 1200 PST daily, November 8–November 16, 1976

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. US Air Force Tactical Air Command (TAC), Langley AFB, Va. 23665

R-4818B SIERRA, NEV.

Boundaries. Beginning at Lat. 35°07'00" N., Long. 116°34'00" W., clockwise to Lat. 35°01'30" N., Long. 116°41'00" W., to Lat. 34°56'00" N., Long. 117°09'00" W., thence along the southern boundary of R-2515 and R-2502E to point of beginning. Designated altitudes. 3000 feet AGL to FL 200.

Time of designation. 0800 PST to 1200 PST daily, November 8–November 16, 1976

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. US Air Force Tactical Air Command (TAC), Langley AFB, Va. 23665

R-4818C SIERRA, NEV.

Boundaries. Beginning at Lat. 36°14'00" N., Long. 117°53'00" W., clockwise along the western and southern boundaries of R-2505 to Lat. 35°40'25" N., Long. 117°25'00" W., to Lat. 35°36'00" N., Long. 117°26'00" W., thence along the western boundaries of R-2524 and R-2515 to Lat. 34°52'00" N., Long. 118°06'00" W., to Lat. 34°57'00" N., Long. 118°21'30" W., to Lat. 35°14'30" N., Long. 118°34'30" W., to Lat. 36°14'00" N., Long. 118°34'30" W., to point of beginning. Designated altitudes. 6000 feet AGL to FL 200.

Time of designation. 0800 PST to 1200 PST daily, November 8–November 16, 1976

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. US Air Force Tactical Air Command (TAC), Langley AFB, Va. 23665

R-4818D SIERRA, NEV.

Boundaries. Beginning at Lat. 37°12'00" N., Long. 118°35'00" W., clockwise to Lat. 37°15'30" N., Long. 118°35'00" W., to Lat. 37°30'00" N., Long. 118°01'00" W., to Lat. 37°30'00" N., Long. 117°26'30" W., to Lat. 37°21'15" N., Long. 117°20'00" W., to Lat. 37°12'00" N., Long. 117°20'00" W., to point of beginning.

Designated altitudes. 14,000 feet AGL to FL 240.

Time of designation. 0800 PST to 1200 PST daily, November 8–November 16, 1976

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. US Air Force Tactical Air Command (TAC), Langley Air Force Base, Va. 23665

R-4818E SIERRA, NEV.

Boundaries. Beginning at Lat. 37°53'00" N., Long. 117°01'00" W., clockwise along the western boundary of R-4807 to Lat. 37°27'30" N., Long. 117°05'00" W., to Lat. 37°37'00" N., Long. 117°15'00" W., to point of beginning.

Designated altitudes. 14,000 feet AGL to FL 240.

Time of designation. 0800 PST to 1200 PST daily, November 8–November 16, 1976

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. US Air Force Tactical Air Command (TAC), Langley Air Force Base, Va. 23665

R-4818F1 SIERRA, NEV.

Boundaries. Beginning at Lat. 38°00'00" N., Long. 116°26'00" W., clockwise to Lat. 38°01'00" N., Long. 116°00'00" W., to Lat. 38°04'30" N., Long. 115°18'00" W., to Lat. 37°17'00" N., Long. 115°18'00" W., thence along the northeastern boundaries of R-4806, R-4808, and R-4807 to Lat. 37°53'00" N., Long. 116°26'00" W., to point of beginning.

Designated altitudes. 500 feet AGL to FL 180.

Time of designation. 0800 PST to 1200 PST daily, November 8–November 16, 1976

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. US Air Force Tactical Air Command (TAC), Langley AFB, Va. 23665

R-4818F2 SIERRA, NEV.

Boundaries. Beginning at Lat. 38°00'00" N., Long. 116°26'00" W., clockwise to Lat. 38°01'00" N., Long. 116°00'00" W., to Lat. 38°04'30" N., Long. 115°18'00" W., to Lat. 37°17'00" N., Long. 115°18'00" W., thence along the north/eastern boundaries of R-4806, R-4808, and R-4807 to Lat. 37°53'00" N., Long. 116°26'00" W., to point of beginning.

Designated altitudes. FL 180 to and including FL 350.

Time of designation. 0800 PST to 1200 PST daily, November 8–November 16, 1976

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. US Air Force Tactical Air Command (TAC), Langley AFB, Va. 23665

R-4818G1 SIERRA, NEV.

Boundaries. Beginning at Lat. 37°17'00" N., Long. 115°18'00" W., clockwise to Lat. 38°04'30" N., Long. 115°18'00" W., to Lat. 38°08'00" N., Long. 114°25'00" W., to Lat. 37°53'00" N., Long. 113°39'00" W., to Lat. 37°17'00" N., Long. 114°07'00" W., to point of beginning.

Designated altitudes. 500 feet AGL to FL 180.

Time of designation. 0800 PST to 1200 PST daily, November 8–November 16, 1976

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. US Air Force Tactical Air Command (TAC), Langley Air Force Base, Va. 23665

R-4818G2 SIERRA, NEV.

Boundaries. Beginning at Lat. 37°17'00" N., Long. 115°18'00" W., clockwise to Lat. 38°04'30" N., Long. 115°18'00" W., to Lat. 38°08'00" N., Long. 114°25'00" W., to Lat. 37°53'00" N., Long. 113°39'00" W., to Lat. 37°17'00" N., Long. 114°07'00" W., to point of beginning.

Designated altitudes. FL 180 to and including FL 350.

Time of designation. 0800 PST to 1200 PST daily, November 8–November 16, 1976

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. US Air Force Tactical Air Command (TAC), Langley Air Force Base, Va. 23665

R-4818H1 SIERRA, NEV.

Boundaries. Beginning at Lat. 37°17'00" N., Long. 115°18'00" W., clockwise to Lat. 37°17'00" N., Long. 114°07'00" W., to Lat. 36°53'00" N., Long. 114°26'00" W., to Lat. 36°53'00" N., Long. 115°18'00" W., to point of beginning.

Designated altitudes. 500 feet AGL to FL 180.

Time of designation. 0800 PST to 1200 PST daily, November 8–November 16, 1976

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. US Air Force Tactical Air Command (TAC), Langley Air Force Base, Va. 23665

R-4818H2 SIERRA, NEV.

Boundaries. Beginning at Lat. 37°17'00" N., Long. 115°18'00" W., clockwise to Lat. 37°17'00" N., Long. 114°07'00" W., to Lat. 36°53'00" N., Long. 114°26'00" W., to Lat. 36°53'00" N., Long. 115°18'00" W., to point of beginning.

Designated altitudes. FL 180 to and including FL 350.

Time of designation. 0800 PST to 1200 PST daily, November 8–November 16, 1976

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. US Air Force Tactical Air Command (TAC), Langley Air Force Base, Va. 23665

R-4818I1 SIERRA, NEV.

Boundaries. Beginning at Lat. 36°53'00" N., Long. 115°18'00" W., clockwise to Lat. 36°53'00" N., Long. 114°26'00" W., to Lat. 36°43'00" N., Long. 114°33'30" W., to Lat. 36°43'00" N., Long. 114°53'00" W., to Lat. 36°41'00" N., Long. 115°18'00" W., to point of beginning.

Designated altitudes. 500 feet AGL to FL 180.

Time of designation. 0800 PST to 1200 PST daily, November 8–November 16, 1976

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. US Air Force Tactical Air Command (TAC), Langley Air Force Base, Va. 23665

R-4818I2 SIERRA, NEV.

Boundaries. Beginning at Lat. 36°53'00" N., Long. 115°18'00" W., clockwise to Lat. 36°53'00" N., Long. 114°26'00" W., to Lat. 36°43'00" N., Long. 114°53'00" W., to Lat. 36°43'00" N., Long. 114°53'00" W., to Lat. 36°41'00" N., Long. 115°18'00" W., to point of beginning.

Designated altitudes. FL 180 to and including FL 350.

Time of designation. 0800 PST to 1200 PST daily, November 8–November 16, 1976
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. US Air Force Tactical Air Command (TAC), Langley Air Force Base, Va. 23665

(Sec. 307(a) Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c) Department of Transportation Act (49 U.S.C. 1655 (c)).)

Issued in Washington, D.C., on August 27, 1976.

WILLIAM E. BROADWATER,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc.76-25670 Filed 9-1-76;8:45 am]

[Airspace Docket No. 76-WE-21]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 73—SPECIAL USE AIRSPACE

Division of Restricted Area

The purpose of these amendments to Parts 71 and 73 of the Federal Aviation Regulations is to divide Bullion Mountains South, Calif., R-2501S into two areas (R-2501S and R-2501W) and to correct the title of the Bullion Mountains Restricted Areas within the Continental Control Area.

These actions will not alter the external dimensions nor the present altitude limitations. Controlling and using agencies will remain the same as will the time of designation and scheduled activities. They will provide more flexible management and make the airspace more easily available for public use when it is not in use by the using agency. Because these actions are considered minor actions on which the public would have no particular desire to comment, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective 0901 GMT, November 4, 1976, as hereinafter set forth.

§ 71.151 (41 FR 345) is amended as follows:

"R-2501N Bullion Mountains, Calif. R-2501S Bullion Mountains, Calif. R-2501E Bullion Mountains, Calif." is deleted and
"R-2501N Bullion Mountains North, Calif. R-2501E Bullion Mountains East, Calif. R-2501S Bullion Mountains South, Calif. R-2501W Bullion Mountains West, Calif." is added.

In § 73.25 (41 FR 659) R-2501S boundaries are amended to read as follows:

"Beginning at Lat. 34°21'40" N., Long. 116°21'33" W.; to Lat. 34°27'50" N., Long. 116°09'40" W.; to Lat. 34°27'15" N., Long. 116°04'07" W.; to Lat. 34°14'00" N., Long. 115°55'40" W.; to Lat. 34°14'00" N., Long. 116°17'00" W.; to the point of beginning."

Also R-2501W is added as follows:

"R-2501W Bullion Mountains West, Calif. Boundaries. Beginning at Lat. 34°21'40" N., Long. 116°21'33" W.; to Lat. 34°30'00" N., Long. 116°26'30" W.; to Lat. 34°35'40" N., Long. 116°28'15" W.; to Lat. 34°35'40" N.,

Long. 116°22'52" W.; to Lat. 34°34'37" N., Long. 116°20'43" W.; to Lat. 34°33'12" N., Long. 116°15'30" W.; to Lat. 34°27'50" N., Long. 116°09'40" W.; to the point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. Commanding General, Marine Corps Base, Twentynine Palms, Calif."

(Sec. 307(a) Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Washington, D.C., on August 27, 1976.

WILLIAM E. BROADWATER,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc.76-25662 Filed 9-1-76;8:45 am]

[Docket No. 16047; Amdt. No. 1036]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Information Center, AIS-230, 800 Independence Avenue, SW., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for \$30.00 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by originating, amending, or cancelling the following VOR-VOR/DME SIAPs, effective October 21, 1976.

Minot, ND—Minot Int'l Arpt., VOR Rwy 8, Amdt. 7

Minot, ND—Minot Int'l Arpt., VOR Rwy 13, Amdt. 7

Minot, ND—Minot Int'l Arpt., VOR Rwy 26, Amdt. 8

Minot, ND—Minot Int'l Arpt., VOR Rwy 31, Amdt. 7

Brookings, SD—Brookings Muni. Arpt., VOR Rwy 12, Amdt. 3

Brookings, SD—Brookings Muni. Arpt., VOR Rwy 30, Amdt. 2

Palacios, TX—Palacios Muni. Arpt., VOR Rwy 13, Amdt. 7

* * * effective October 14, 1976.

Haleyville, AL—Posey Field, VOR/DME-A, Amdt. 1

Groton (New London), CT—Trumbull Arpt., VOR Rwy 5, Amdt. 1

Groton (New London), CT—Trumbull Arpt., VOR Rwy 23, Amdt. 3

Kamuela, HI—Waimea—Kohala Arpt., VOR-A, Amdt. 5

Winchester, IN—Randolph County Arpt., VOR-A, Original

Winchester, IN—Randolph County Arpt., VOR/DME-A, Orig., cancelled

Boston, MA—General Edward Lawrence Logan Int'l Arpt., VOR Rwy 27, Amdt. 12

Boston, MA—General Edward Lawrence Logan Int'l Arpt., VOR Rwy 33L, Amdt. 14

Boston, MA—General Edward Lawrence Logan Int'l Arpt., VOR/DME Rwy 15R, Amdt. 11

Boston, MA—General Edward Lawrence Logan Int'l Arpt., VOR/DME Rwy 22L, Amdt. 1

Linden, MI—Price's Arpt., VOR-A, Amdt. 1

Wausau, WI—Wausau Muni. Arpt., VOR-A, Amdt. 13

* * * effective September 23, 1976.

Craig, CO—Craig-Moffat Arpt., VOR Rwy 25, Original

Craig, CO—Craig-Moffat Arpt., VOR/DME Rwy 7, Original

Hayden, CO—Yampa Valley Arpt., VOR Rwy 10, Amdt. 1

* * * effective September 9, 1976.

Pasco, WA—Tri-Cities Arpt., VOR Rwy 20R, Original

* * * effective August 24, 1976.

Charleston, WV—Kanawha Arpt., VOR-A, Amdt. 9

* * * effective August 19, 1976.

Hickory, NC—Hickory Muni. Arpt., VOR Rwy 24, Amdt. 17

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, effective October 21, 1976.

Boise, ID—Boise Air Terminal (Gowen Field), LOC/DME(BC) Rwy 28L, Original Fort Worth, TX—Meacham Field, LOC(BC) Rwy 34R, Amdt. 4

* * * effective October 14, 1976.

Boston, MA—General Edward Lawrence Logan Int'l Arpt., LOC(BC) Rwy 22L, Amdt. 6

* * * effective August 19, 1976.

Hickory, NC—Hickory Muni. Arpt., LOC Rwy 24, Amdt. 1

3. Section 97.27 is amended by originating, amending, or canceling the fol-

lowing NDB/ADF SIAPs, *effective October 21, 1976.*

Gwinner, ND—Gwinner Muni. Arpt., NDB Rwy 34, Amdt. 2
Fort Worth, TX—Meacham Field, NDB Rwy 16L, Amdt. 2
Fort Worth, TX—Meacham Field, NDB Rwy 34R, Amdt. 3
Gainesville, TX—Gainesville Muni. Arpt., NDB Rwy 17, Amdt. 2

*** *effective October 14, 1976.*

Wilmington, DE—Greater Wilmington Arpt., NDB Rwy 1, Amdt. 11
Boston, MA—General Edward Lawrence Logan Int'l Arpt., NDB Rwy 4R, Amdt. 19
Boston, MA—General Edward Lawrence Logan Int'l Arpt., NDB Rwy 22L, Amdt. 6
Boston, MA—General Edward Lawrence Logan Int'l Arpt., NDB Rwy 33L, Amdt. 8, cancelled
Deckerville, MI—Lamont Arpt., NDB Rwy 9, Amdt. 1
Deckerville, MI—Lamont Arpt., NDB Rwy 27, Amdt. 1
Bristol, TN—Tri-City Arpt., NDB Rwy 4, Amdt. 11
Bristol, TN—Tri-City Arpt., NDB Rwy 22, Amdt. 13

*** *effective September 16, 1976.*

Chicago, IL—Chicago O'Hare Int'l Arpt., NDB Rwy 9R, Amdt. 9

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, *effective October 21, 1976.*

Fort Worth, TX—Meacham Field, ILS Rwy 16L, Amdt. 3

*** *effective October 14, 1976.*

Groton (New London), CT—Trumbull Arpt., ILS Rwy 5, Amdt. 3
Wilmington, DE—Greater Wilmington Arpt., ILS Rwy 1, Amdt. 12
Baltimore, MD—Baltimore-Washington Int'l Arpt., ILS Rwy 10, Amdt. 7
Boston, MA—General Edward Lawrence Logan Int'l Arpt., ILS Rwy 4R, Amdt. 22
Boston, MA—General Edward Lawrence Logan Int'l Arpt., ILS Rwy 15R, Amdt. 1
Boston, MA—General Edward Lawrence Logan Int'l Arpt., ILS Rwy 33L, Amdt. 12
Scottsbluff, NE—Scotts Bluff County Arpt., ILS Rwy 30, Amdt. 4
Bristol, TN—Tri-City Arpt., ILS Rwy 22, Amdt. 18

*** *effective September 16, 1976.*

Chicago, IL—Chicago O'Hare Int'l Arpt., ILS Rwy 9R, Amdt. 7
Chicago, IL—Chicago O'Hare Int'l Arpt., ILS Rwy 27L, Amdt. 6
Hagerstown, MD—Hagerstown Regional Arpt., ILS Rwy 27, Original
Memphis, TN—Memphis Int'l Arpt., ILS Rwy 17R, Original

*** *effective September 9, 1976.*

Philadelphia, PA—Philadelphia Int'l Arpt., ILS Rwy 27R, Amdt. 1
Pasco, WA—Tri-Cities Arpt., ILS Rwy 20R, Amdt. 6

*** *effective August 24, 1976.*

Charleston, WV—Kanawha Arpt., ILS Rwy 23, Amdt. 23

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAPs, *effective October 21, 1976.*

Kingsville, TX—Kleberg County Arpt., RADAR-1, Original

*** *effective October 14, 1976.*

Windsor Locks, CT—Bradley Int'l Arpt., RADAR-1, Amdt. 5
Boston, MA—General Edward Lawrence Logan Int'l Arpt., RADAR-1, Amdt. 4

*** *effective August 24, 1976.*

Charleston, WV—Kanawha Arpt., RADAR-1, Amdt. 8

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, *effective October 21, 1976.*

Renton, WA—Renton Muni. Arpt., RNAV Rwy 33, Amdt. 3

*** *effective October 14, 1976.*

Kirksville, MO—Clarence Cannon Memorial Arpt., RNAV Rwy 17, Amdt. 3
Kirksville, MO—Clarence Cannon Memorial Arpt., RNAV Rwy 35, Amdt. 3
Bristol, TN—Tri-City Arpt., RNAV Rwy 4, Original

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1438, 1354, 1421, 1510; sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(e)).

Issued in Washington, D.C., on August 26, 1976.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the Federal Register on May 12, 1969, (35 FR 5610).

JAMES M. VINES,
Chief, Aircraft Programs
Division.

[FR Doc.76-25673 Filed 9-1-76;8:45 am]

[Docket No. 15551; Amdt. No. 152-3]

PART 152—AIRPORT AID PROGRAM Eligibility of Visual Approach Slope Indicators

The purpose of this amendment to Part 152 of the Federal Aviation Regulations is to eliminate the requirement in § 152.103(h)(2) that two-box VASI (VASI-2) be installed with new construction of medium intensity runway lights (MIRL) on runways at airports serving small aircraft (other than turbojet powered aircraft).

Interested persons have been afforded an opportunity to participate in the making of this amendment by a notice of proposed rulemaking (Notice No. 76-11) issued on April 2, 1976, and published in the FEDERAL REGISTER on April 12, 1976 (41 FR 15350). Due consideration has been given to all comments received in response to that Notice.

Notice No. 76-11 stated that the mandatory requirement for installation of VASI-2 with the installation of MIRL had, because of the additional installation costs, impeded the installation of MIRL at airports eligible under the Airport and Airway Development Program, and pointed out that the installation of VASI offered no operational advantage, in terms of lower landing minimums

under the criteria (U.S. Standard for Terminal Instrument Approach Procedures) applicable to instrument approach procedures developed and issued under Part 97 of the FAR's (Standard Instrument Approach Procedures).

Comments received in response to the notice were generally favorable and recognized that elimination of the mandatory requirement for VASI would encourage and facilitate installation of MIRL at eligible airports where the additional cost of VASI might be impeding or prohibitive. Two comments cited the VASI as a very desirable approach aid for both VFR night approaches and day or night instrument approaches, and recommended that VASI be installed on a broader scale at air carrier and general aviation airports.

The FAA agrees that VASI is a valuable approach aid and wishes to emphasize that under this amendment VASI continues to be an eligible item for airport development. In addition, the FAA has recently contracted for the installation of over 300 VASI's at airports across the nation. This program supplements the VASI systems now installed at approximately 1100 airports.

Since this amendment relates to public grants and relieves a restriction, it may be made effective on less than 30 days notice.

(Secs. 11-27 Airport and Airway Development Act of 1970 (84 Stat. 220-233); § 1.47(g)(1) Regulations of the Office of the Secretary of Transportation (49 CFR 1.47(g)(1)).)

In consideration of the foregoing, § 152.103(h)(2) of the Federal Aviation Regulations is amended effective August 26, 1976, to read as follows:

§ 152.103 Lighting and electrical work: specific.

(h) ***

(2) A two-box Visual Approach Slope Indicator (VASI-2) is eligible on lighted runways not used by turbojet powered aircraft. The VASI-2 is also eligible for installation on runways with an approach slope deficiency and for retrofitting existing runways on such of those airports that have MIRL installed.

Issued in Washington, D.C., on August 26, 1976.

JOHN L. McLUCAS,
Administrator.

[FR Doc.76-25511 Filed 9-1-76;8:45 am]

Title 16—Commercial Practices CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

PART 1704—APPLICATIONS FOR EXEMPTION FROM PREEMPTION

CROSS REFERENCE: For a document containing Interim Rules pending completion of rulemaking regarding the above-mentioned subject, see FR Doc. 76-25694 in the Proposed Rules Section of this issue.

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 76-247]

PART 159—LIQUIDATION OF DUTIES

Countervailing Duties—Glass Beads From Canada

Notice of countervailing duties to be imposed under section 303, Tariff Act of 1930, as amended, by reason of the payment or bestowal of a bounty or grant upon the manufacture, production or exportation of glass beads from Canada.

On March 2, 1976, a "Notice of Preliminary Countervailing Duty Determination" was published in the FEDERAL REGISTER (41 FR 8988). The notice stated that on the basis of an investigation conducted pursuant to § 159.47(c), Customs Regulations (19 CFR 159.47(c)), it had been preliminarily determined that payments are being made, directly or indirectly, upon the manufacture, production, or exportation of glass beads not over six millimeters in diameter by Canasphere Industries, Ltd., Moose Jaw, Saskatchewan, which constitute a bounty or grant within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303). Interested parties were provided with 30 days from the date of publication to submit relevant data, views, or arguments in writing with respect to the preliminary determination.

After consideration of all information received, it is hereby determined that imports of glass beads not over six millimeters in diameter manufactured by Canasphere Industries, Ltd., benefit from the payments or bestowals of bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303). These benefits include a grant from the Federal Department of Regional Economic Assistance and an interest-free loan from the Saskatchewan Economic Development Corporation. There has been no adequate showing that these benefits have the effect of offsetting disadvantages which would discourage industry from moving to and expanding in less developed regions. Furthermore, a substantial proportion of Canasphere's production is exported. It has also been determined that other allegations, including allegations of below-cost or preferential freight rates, of the purchase of the facility from the City of Moose Jaw at a favorable price, and of the ability of Canasphere to secure lines of credit not otherwise available without Government assistance have not been sustained by that quantum of proof necessary to enable the Department of the Treasury to conclude that "bounties or grants" have, as to those allegations, been paid or bestowed.

Accordingly, notice is hereby given that dutiable glass beads not over six millimeters in diameter manufactured by Canasphere Industries, Ltd., and imported directly or indirectly from Canada, if entered, or withdrawn from ware-

house for consumption on or after the date of publication of this notice in the FEDERAL REGISTER will be subject to payment of countervailing duties equal to the net amount of any bounty or grant determined or estimated to have been paid or bestowed.

In accordance with section 303, until further notice the net amount of such bounties or grants has been estimated and declared to be 1.9 percent *ad valorem*. Declarations of the net amount of the bounties or grants ascertained and determined, or estimated, to have been paid or bestowed, directly or indirectly, upon the manufacture, production, or exportation of glass beads not over six millimeters in diameter from Canada manufactured by Canasphere Industries, Ltd., will be published subsequently in the FEDERAL REGISTER.

Effective on or after the date of publication of this notice in the FEDERAL REGISTER and until further notice, upon entry for consumption or withdrawal from warehouse for consumption of such dutiable glass beads of not over six millimeters in diameter manufactured by Canasphere Industries, Ltd., imported directly or indirectly from Canada, which benefit from such bounties or grants, there shall be collected, in addition to any other duties estimated or determined to be due, countervailing duties in the amount ascertained in accordance with the above declaration.

The liquidation of all entries for consumption or withdrawals from warehouse for consumption of such dutiable glass beads of not over six millimeters in diameter, manufactured by Canasphere Industries, Ltd., imported directly or indirectly from Canada which benefit from such bounties or grants and are subject to the order shall be suspended pending declarations of the net amounts of the bounties or grants paid or bestowed. A deposit of the estimated countervailing duty, in the amount of 1.9 percent *ad valorem* shall be required at the time of entry for consumption or withdrawal from warehouse for consumption.

Any merchandise subject to the terms of this order shall be deemed to have benefited from a bounty or grant if such bounty or grant has been or will be paid, credited, or bestowed directly or indirectly, upon the manufacture, production or exportation of such glass beads of not over six millimeters in diameter manufactured by Canasphere Industries, Ltd.

§ 159.47 [Amended]

The table in § 159.47(f) of the Customs Regulations (19 CFR 159.47(f)) is amended by inserting in the column headed "Commodity", the words "Glass Beads not Over Six Millimeters in Diameter Produced By Canasphere Industries, Ltd." after the last entry for Canada. The column headed "Treasury Decision" is amended by inserting the number of this Treasury Decision and the column headed "Action" is amended by inserting the words "Bounty Declared—Rate".

(R.S. 251, secs. 303, as amended, 624; 46 Stat. 687, 759, 88 Stat. 2050; 19 U.S.C. 66, 1303, as amended, 1624).

LEONARD LEHMAN,

Acting Commissioner of Customs.

Approved: August 30, 1976.

DAVID R. MACDONALD,

Assistant Secretary
of the Treasury.

[FR Doc. 76-25706 Filed 9-1-76; 8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

PART 546—TETRACYCLINE ANTIBIOTIC DRUGS FOR ANIMAL USE

Tetracycline Boluses

The Food and Drug Administration is revoking certain provisions of the regulations for use of tetracycline boluses; effective September 2, 1976.

In FR Doc. 76-25676 appearing in the notices section of this issue of the FEDERAL REGISTER approval of new animal drug application (NADA) 65-062V for Tetracycline-Vet Bolus, held by Pfizer, Inc., 235 E. 42d St., New York, NY 10017, is being withdrawn. Based on the data set forth in that notice, the Commissioner of Food and Drugs concludes that the corresponding regulation providing for approval of the drug should be revoked.

The conditions of use that correspond to the new drug application that is being withdrawn are found in paragraphs (c) (5) (i) (a) and (c) (5) (ii) of § 546.180c (21 CFR 546.180c). Two sponsors, Pfizer (000069) and Upjohn (000009), are listed in the paragraphs. The listing of Upjohn as a sponsor for this particular use is an error, and therefore the withdrawal of approval of Pfizer's NADA will result in revocation of these paragraphs of § 546.180c.

§ 546.180c [Amended]

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-351 (21 U.S.C. 360b)) and under authority delegated to the Commissioner (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)), § 546.180c *Tetracycline boluses* is amended by revoking paragraph (c) (5) (i) (a) and paragraph (c) (5) (ii) and designating them as [Reserved].

Effective date: This amendment shall be effective September 2, 1976.

(Sec. 512, 82 Stat. 343-351 (21 U.S.C. 360b).)

Dated: August 26, 1976.

C. D. VAN HOUWELING,

Director, Bureau of
Veterinary Medicine.

[FR Doc. 76-25675 Filed 9-1-76; 8:45 am]

Title 29—Labor

CHAPTER XIV—EQUAL EMPLOYMENT
OPPORTUNITY COMMISSIONPART 1601—PROCEDURAL
REGULATIONS

Designated 706 Agencies

By virtue of the authority vested in it by Section 713(a) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e-12(a), 78 Stat. 265, the Equal Employment Opportunity Commission (hereinafter referred to as the Commission) hereby amends Title 29, Chapter XIV, § 1601.12(m) in accordance with the requirements of § 1601.12 (i) (1).

The amended § 1601.12(m) sets forth those state and local agencies which have been formally designated as 706 Agencies as defined in § 1601.12(c) for the purpose of receiving charges deferred by the Commission pursuant to section 706 (c) and (d) of Title VII and whose final findings and orders will be accorded substantial weight by the Commission as provided in § 1601.19b(e).

Publication of this amendment to § 1601.12(m) effectuates the designation of the following Agency as 706 Agencies:

SOUTH CAROLINA HUMAN AFFAIRS COMMISSION

Notice of the proposed designation of the foregoing agency as 706 Agencies was published in the August 11, 1976, issue of the FEDERAL REGISTER, 40 FR 6676, with notice that written comments must have been filed with the Commission on or before August 24, 1976.

With the addition of the foregoing agency, § 1601.12(m) is revised to read as follows:

§ 1601.12 Deferrals to State and local
authorities.

(m) The Designated 706 Agencies are:

Alaska Commission for Human Rights.
Alexandria Human Rights Office.
Allentown Human Relations Commission.
Arizona Civil Rights Division.
Baltimore Community Relations Commission.
Bloomington Human Rights Commission.
California Fair Employment Practices Commission.
Charleston Human Rights Commission.
Colorado Civil Rights Commission.
Connecticut Commission on Human Rights and Opportunities.
Dade County Fair Housing and Employment Commission.
Delaware Department of Labor.
District of Columbia Office of Human Rights.
East Chicago Human Relations Commission.
Fairfax County Human Rights Commission.
Gary Human Relations Commission.
Idaho Commission on Human Rights.
Illinois Fair Employment Practices Commission.
Indiana Civil Rights Commission.
Iowa Commission on Civil Rights.
Kansas Commission on Civil Rights.
Kentucky Commission on Human Rights.
Maine Human Relations Commission.
Maryland Commission on Human Relations.
Massachusetts Commission Against Discrimination.
Michigan Civil Rights Commission.
Minneapolis Department of Civil Rights.
Minnesota Department on Human Rights.
Missouri Commission on Human Rights.
Montana Commission for Human Rights.

Montgomery County Human Relations Commission.
Nebraska Equal Opportunity Commission.
Nevada Commission on Equal Rights of Citizens.
New Hampshire Commission for Human Rights.
New Jersey Division on Civil Rights, Department of Law and Public Safety.
New York City Commission on Human Rights.
New York State Division of Human Rights.
Ohio Civil Rights Commission.
Oklahoma Human Rights Commission.
Omaha Human Relations Department.
Oregon Bureau of Labor.
Pennsylvania Human Relations Commission.
Philadelphia Commission on Human Relations.
Pittsburgh Commission on Human Relations.
Rhode Island Commission for Human Rights.
Rockville (Maryland) Human Rights Commission.
Seattle Human Rights Commission.
Springfield (Ohio) Human Relations Department.
South Carolina Human Affairs Commission.
South Dakota Human Relations Commission.
Tacoma Human Rights Commission.
Utah Industrial Commission.
Vermont Attorney General's Office, Civil Rights Division.
Virgin Islands Department of Labor.
Washington State Human Rights Commission.
West Virginia Human Rights Commission.
Wheeling Human Rights Commission.
Wichita Commission on Civil Rights.
Wisconsin Equal Rights Division, Department of Industry, Labor and Human Relations.
Wyoming Fair Employment Practices Commission.

The designated Notice Agencies are:

Arkansas Governor's Committee on Human Resources.
Florida Commission on Human Relations.
Georgia Governor's Council on Human Relations.
Montana Department of Labor and Industry.
North Dakota Commission on Labor.
Ohio Director of Industrial Relations.
(Sec. 713(a), 78 Stat. 265 (42 U.S.C. Sec. 2000e-12(a)).)

This amendment is effective on September 2, 1976.

Signed at Washington, D.C. this 27th day of August 1976.

ETHEL BENT WALSH,
Vice Chairman, Equal Employment
Opportunity Commission.

[FR Doc. 76-25773 Filed 9-1-76; 8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD,
DEPARTMENT OF TRANSPORTATION

[CGD 76-079]

PART 3—COAST GUARD AREAS, DIS-
TRICTS, MARINE INSPECTION ZONES,
AND CAPTAIN OF THE PORT AREASPort Arthur Marine Inspection Zone and
Captain of the Port Office

This notice amends 33 CFR 3.40-20 to show that an Eighth Coast Guard District Captain of the Port Office has been moved from Sabine to Port Arthur, Texas.

Since these amendments are a matter relating to agency organization, they are exempt from the notice of proposed rule-

making requirements in 5 U.S.C. 553(b) (A). Since these amendments announce an existing change in Coast Guard organization, they are effective immediately under 5 U.S.C. 553(d) (3).

In accordance with the foregoing, Part 3 of Chapter I of Title 33, Code of Federal Regulations, is amended as follows:

1. Section 3.40-20 is amended by revising the heading and paragraph (a) to read as follows:

§ 3.40-20 Port Arthur Marine Inspec-
tion Zone and Captain of the Port.

(a) The Port Arthur Marine Inspection Office and Captain of the Port Office are in Port Arthur, Texas.

2. Paragraph (b) of § 3.40-20 is amended by deleting the words "the Sabine."

(5 U.S.C. 552; 14 U.S.C. 633; 80 Stat. 937 (49 U.S.C. 1655(b) (1), 49 CFR 1.46(b)).)

Effective date: These amendments are effective September 2, 1976.

Dated: August 27, 1976.

E. L. PERRY,
Vice Admiral, U.S. Coast Guard
Acting Commandant.

[FR Doc. 76-25720 Filed 9-1-76; 8:45 am]

Title 41—Public Contracts and Property
ManagementCHAPTER 4—DEPARTMENT OF
AGRICULTURE

PART 4-1—GENERAL

Procurement; Miscellaneous Amendments

This amendment involves matters relating to agency procurement and contracting and, while not subject by law to the notice and public procedure requirements for rulemaking under 5 U.S.C. 553, is subject to the Secretary's Statement of Policy (36 FR 13804). The amendment corrects or clarifies existing policy. No useful purpose would be served by public participation, and it is found upon good cause, in accordance with the Secretary's Policy Statement, that notice and other public procedures with respect to the amendment are impracticable and unnecessary.

1. The Table of Contents of Part 4-1 is amended by adding the following new sections:

Sec.	
4-1.350	Procurement identification system.
4-1.350-1	Purchase order/delivery order numbering system.
4-1.350-2	Contract numbering system [Reserved]

AUTHORITY: 5 U.S.C. 301, 40 U.S.C. 486(c).

2. Section 4-1.350 is added as follows:

§ 4-1.350 Procurement identification
system.

(a) The implementation of automated payment systems within the Department dictates the use of a standard Department-wide procurement identification system for the purposes of reporting and control. The identification system shall consist of 8 to 12 digits divided into four data elements as follows:

Transaction code	Ordering office	Fiscal year	Control number
XX	XXXX	X	XXXXX

(1) *Transaction Code*. (Two positions). This code identifies the type of procurement and method of payment and is determined pursuant to instructions contained in the USDA National Finance Center manual entitled "Purchase Orders."

(2) *Ordering Office*. (Four positions). This is an alpha-numeric code that corresponds to the last four characters of the GSA assigned FEDSTRIP Requisitioner Number of the office placing the order.

(3) *Fiscal Year*. (One position). Enter the last digit of the fiscal year appropriation.

(4) *Control Number*. (Five position maximum). The issuing office will assign a number to this data element beginning with "1" for the first purchase order/delivery order/contract for the fiscal year. It is not necessary to enter leading zeros. Purchasing activities may assign blocks of contract numbers where desirable.

§ 4-1.350-1 Purchase order/delivery order numbering system.

(a) The numbering system for purchase orders/delivery orders is contained in NFC Procedures Manual, "Purchase Orders," Title II, Section 5.1. This numbering system shall apply to all Department purchasing activities.

(b) The following transaction codes may be used for purchase orders and delivery orders:

Transaction codes:	Conditions for Use
40	Fixed price, fixed quantity, with anticipated one-time vendor payment; or estimated quantity and/or estimated price of procurement of supplies with anticipated one-time vendor payment.
41	Advance payment authorized by procurement regulations (e.g., subscriptions, tuition, etc.).
42	Fixed price, fixed quantity, for automatic, agreed upon cyclic payment.
43	(1) Fixed price, fixed quantity, with anticipated recurring vendor payments (e.g., EDP equipment rental). (2) Estimated price and/or estimated quantity with anticipated recurring vendor payments (e.g., copier rental with monthly charges based upon number of copies produced), or (3) Estimated price and/or estimated quantity for services even though there is an anticipated one-time vendor payment (e.g., the clearing of a field where the hourly rate is known but the number of hours to clear the field is estimated).

§ 4-1.350-2 Contract numbering system. [Reserved].

Effective date: September 2, 1976.

Done at Washington, D.C., this 19th day of August 1976.

GEORGE C. KNAPP,
Acting Director,
Office of Operations.

[FR Doc.76-25699 Filed 9-1-76; 8:45 am]

**Title 47—Telecommunication
CHAPTER I—FEDERAL
COMMUNICATIONS COMMISSION**

[Docket No. 19528]

**PART 68—CONNECTION OF TERMINAL
EQUIPMENT TO THE TELEPHONE NETWORK**

Proposals for New or Revised Classes of Interstate and Foreign Message Toll Telephone Service (MTS) and Wide Area Telephone Service (WATS)

1. On August 17, 1976, GTE Service Corporation filed a pleading herein entitled "Comments in Support of Petition for Reconsideration." In this pleading GTE refines certain proposals made in its earlier-filed petition for reconsideration of the Commission's March 18, 1976 Second Report and Order, 58 FCC 2d 736.

2. In its Second Report and Order, the Commission stated at paragraphs 27-29¹ that we had not received any adequate proposals addressing the problems associated with wiring complex PBX and key telephone systems. Therefore, as an interim solution the Commission required that these systems be connected to the telephone network through registered protective circuitry. Realizing there might be alternate solutions² the Commission encouraged the "submission of proposed rule changes which would assure proper installation of intra-system wiring and thereby preclude any unnecessary use of protective circuitry." The GTE petition for reconsideration as refined by its supporting comments addresses the above-mentioned wiring problems, and might well present a reasonable approach for eliminating some protective circuitry and substantially reducing the costs of implementing of the registration program with respect to PBX and key telephone system installations. Therefore, GTE's supporting comments will be accepted as a late filed amendment to its petition for reconsideration, and interested parties will be given an opportunity to comment on the GTE petition.

¹ 58 FCC 2d 736, 744-746 (1976).

² In an affidavit filed in the U.S. Court of Appeals, Bell alleged that its increased costs due to the registered protective circuitry requirement would be approximately \$88 million.

* 58 FCC 2d 736, 746 (1976).

3. Accordingly, it is ordered, That GTE's "Comments in Support of Petition for Reconsideration" is accepted for filing.

4. It is further ordered, That comments on or oppositions to the GTE comments must be filed by September 10, 1976, and GTE may file a reply no later than September 17, 1976.

Adopted: August 27, 1976.

Released: August 27, 1976.

FEDERAL COMMUNICATIONS
COMMISSION,

WALTER R. HINCHMAN,
Chief, Common Carrier Bureau.

[FR Doc.76-25769 Filed 9-1-76;8:45 am]

* We are allowing only two weeks for filing comments in recognition of the fact that the GTE "Comments in Support" were served on all parties on August 17, 1976.

North Zone:

Shooting hours:

12 noon until sunset.....

1/2 hour before sunrise until sunset.....

South Zone (Counties of Cameron, Willacy, Hidalgo, Starr, Zapata, Webb, and Maverick):

Shooting hours:

12 noon until sunset.....

1/2 hour before sunrise until sunset.....

Remainder of South Zone:

Shooting hours:

12 noon until sunset.....

1/2 hour before sunrise until sunset.....

In the table appearing on page 34044, under § 20.104, a typographical error in the season dates for woodcock in the North Zone of New York is corrected by changing the dates from "Sept. 1-Nov. 23" to read "Sept. 20-Nov. 23".

In the same table, continued on page 34045, a typographical error in the season dates for clapper and king rails in Texas is corrected by deleting the word "Closed" and instead adding the dates "Sept. 1-Nov. 9".

Dated: August 30, 1976.

GEORGE W. MILIAS,

Acting Director,

U.S. Fish and Wildlife Service.

[FR Doc.76-25780 Filed 9-1-76;8:45 am]

PART 26—RESTRICTED OR PROHIBITED ACTS

Tamarac National Wildlife Refuge, Minn.

The following special regulation is issued and is effective on September 2, 1976.

§ 26.34 Special regulations: upland game; for individual wildlife refuge areas.

MINNESOTA

TAMARAC NATIONAL WILDLIFE REFUGE

Public hunting of ruffed grouse, gray and fox squirrels, cottontail, jack, and snowshoe rabbits on the Tamarac National Wildlife Refuge, Rochert, Minnesota, is permitted in the area designated by signs as open to hunting. This open area comprising 12,500 acres is delineated on a map available at the Refuge

Title 50—Wildlife and Fisheries

CHAPTER I—U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

SUBCHAPTER B—TAKING, POSSESSION, TRANSPORTATION, SALE, PURCHASE, BARTER, EXPORTATION, AND IMPORTATION OF WILDLIFE

PART 20—MIGRATORY BIRD HUNTING

Open Seasons, Bag Limits, and Possession of Certain Migratory Game Birds; Corrections

In FR Doc. 76-22949 appearing at page 34041 in the FEDERAL REGISTER of August 12, 1976, in the table appearing on page 34043, under § 20.103(b), some season dates for hunting mourning doves in the South Zone of Texas were inadvertently omitted; therefore, that portion of the mourning dove table pertaining to Texas is corrected to read as follows:

Texas: *

Sept. 1 to Oct. 14.

Jan. 1 to Jan. 16.

Sept. 4-6, Sept. 11-12, and

Sept. 25 to Nov. 2.

Jan. 1 to Jan. 16.

Sept. 25 to Nov. 7.

Jan. 1 to Jan. 16.

Headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

An additional area of 18,000 acres will be open for public hunting of ruffed grouse only. This ruffed grouse only public hunting area is delineated on a map available at the Refuge Headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

Hunting shall be in accordance with all applicable State regulations during the seasons specified below. The hunting of other upland species as may be authorized by Minnesota State regulations is prohibited.

Open seasons: Ruffed grouse—September 18, 1976, through October 29, 1976, and the second season opens November 1, 1976, through December 31, 1976, inclusive, with shooting hours from sunrise to sunset. Gray and fox squirrels—September 18, 1976, through December 31, 1976, inclusive, with shooting hours from sunrise to sunset. Cottontail, jack, and snowshoe rabbits—September 18, 1976, through February 28, 1977, inclusive with shooting hours from sunrise to sunset.

No person shall trap on Tamarac National Wildlife Refuge without first obtaining such permits and trap tags as may be required and issued by the Refuge Manager. Portions of Tamarac Refuge open to hunting will be posted "Public Hunting Area" except as described in Refuge hunting maps for ruffed grouse. In addition, no persons shall, for the purpose

of hunting or trapping, enter or leave a refuge except by access roads which may be so designated; and all hunters and trappers shall comply with further regulations which the Refuge Manager may prescribe.

OMER N. SWENSON,

Refuge Manager.

AUGUST 27, 1976.

[FR Doc.76-25650 Filed 9-1-76;8:45 am]

PART 32—HUNTING

Alamosa National Wildlife Refuge

The following special regulation is issued and is effective on September 2, 1976.

§ 32.12 Special regulations: migratory game birds; for individual wildlife refuge areas.

COLORADO

ALAMOSA NATIONAL WILDLIFE REFUGE

The public hunting of geese, ducks, coots, mergansers, mourning doves, sora and Virginia rails, and Wilson's snipe on the Alamosa National Wildlife Refuge, Colorado is permitted in accordance with conditions as outlined below, but only on the area designated by signs as open to hunting:

(1) Ducks, coots and mergansers—October 2, 1976 through October 17, 1976, inclusive, and November 13, 1976 through January 18, 1977, inclusive.

(2) Canada geese—November 1, 1976 through December 31, 1976, inclusive. Hunting of Canada geese is restricted to those persons who have secured a special Colorado state permit for the Special San Luis Valley Goose Hunt.

(3) Mourning doves—October 2, 1976 through October 17, 1976, inclusive.

(4) Sora and Virginia rails—October 2, 1976 through October 17, 1976, inclusive, and November 1, 1976 through November 9, 1976, inclusive.

(5) Wilson's snipe—October 2, 1976 through October 17, 1976, inclusive, and November 1, 1976 through December 2, 1976, inclusive.

This open area, comprising 3,946 acres, is delineated on maps available at refuge headquarters, Alamosa, Colorado, and from the Regional Director, U.S. Fish and Wildlife Service, 10597 West 6th Ave., Denver, Colorado 80215. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of geese, ducks, coots, mergansers, mourning doves, sora and Virginia rails, and Wilson's snipe, subject to the following special conditions:

(1) Shooting hours will be from one-half hour before sunrise until sunset for ducks, geese, coots and mergansers.

(2) Shooting hours will be from sunrise to sunset on mourning doves, sora and Virginia rails and Wilson's snipe.

(3) Admittance—Entrance to the area open to hunting, and parking of vehicles will be restricted to designated parking areas.

(4) Dogs—Not to exceed two dogs per hunter may be used in the hunting of the above species.

(5) Boats—The use of boats is prohibited. One or two-man life rafts that can be carried by an individual from the parking areas to the hunting area may be used to retrieve dead or wounded birds.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 18, 1977.

CHARLES R. BRYANT,
Refuge Manager.

AUGUST 24, 1976.

[FR Doc.76-25634 Filed 9-1-76; 8:45 am]

PART 32—HUNTING

Alamosa National Wildlife Refuge

The following special regulation is issued and is effective on September 2, 1976.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

COLORADO

ALAMOSA NATIONAL WILDLIFE REFUGE

The public hunting of cottontail rabbits, white and black-tailed jack rabbits, striped skunk, spotted skunk, badger, raccoon, coyote and bobcat on the Alamosa National Wildlife Refuge, Colorado, is permitted in accordance with conditions as outlined below, but only on the area designated by signs as open to hunting:

(1) Cottontail rabbits, white and black-tailed jack rabbits, striped skunk, spotted skunk, badger, raccoon, and coyote—October 2, 1976 through October 17, 1976, inclusive, and November 1, 1976 through January 18, 1977, inclusive.

(2) Bobcat—October 15, 1976 through October 17, 1976, inclusive, and November 1, 1976 through January 18, 1977, inclusive.

This open area, comprising 3,946 acres, is delineated on maps available at refuge headquarters, Alamosa, Colorado, and from the Regional Director, U.S. Fish and Wildlife Service, 10597 West 6th Ave., Denver, Colorado 80215. Hunting shall be in accordance with all applicable State regulations governing the hunting of cottontail rabbits, white and black-tailed jack rabbits, striped skunk, spotted skunk, badger, raccoon, coyote, and bobcat, subject to the following special conditions:

(1) Shooting hours for cottontail rabbits will be from sunrise to sunset except during the pheasant season when they shall coincide with the shooting hours set for this season by State proclamation.

(2) Shooting hours for white and black-tailed jack rabbits, striped skunk, spotted skunk, badger, raccoon, coyote, and bobcat shall coincide with those set by Federal and State proclamation for the hunting of migratory waterfowl.

(3) Admittance—Entrance to the area open to hunting and parking of vehicles

will be restricted to designated parking areas.

(4) Dogs—Not to exceed two dogs per hunter may be used in the hunting of the above species.

(5) Hunting with rifles and hand guns is prohibited.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 18, 1977.

CHARLES R. BRYANT,
Refuge Manager.

AUGUST 24, 1976.

[FR Doc.76-25635 Filed 9-1-76; 8:45 am]

PART 32—HUNTING

Flint Hills National Wildlife Refuge

The following special regulation is issued and is effective on September 2, 1976.

§ 32.32 Special regulations, deer, for individual wildlife refuge areas.

KANSAS

FLINT HILLS NATIONAL WILDLIFE REFUGE

Public hunting of deer, with bow and arrows on the Flint Hills National Wildlife Refuge, Burlington, Kansas, is permitted October 1 through November 30, 1976 inclusive and from December 18 through December 31, 1976 inclusive, in accordance with all applicable State Regulations subject to the following special conditions:

(1) The open area is delineated on maps available at refuge headquarters, P.O. Box 213, Burlington, Kansas 66839, or from the Area Manager, U.S. Fish and Wildlife Service, Federal Building Room 1748, 601 East 12th Street, Kansas City, Missouri 64106.

(2) Hunting shall be in accordance with all applicable State and Federal laws and regulations governing the hunting of deer.

(3) The use of rifles or pistols are prohibited on the refuge.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1976.

MICHAEL J. LONG,
Refuge Manager.

AUGUST 17, 1976.

[FR Doc.76-25638 Filed 9-1-76; 8:45 am]

PART 32—HUNTING

Flint Hills National Wildlife Refuge

The following special regulation is issued and is effective on September 2, 1976.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

KANSAS

FLINT HILLS NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, coots and mergansers on the Flint Hills National Wildlife Refuge, Kansas, is permitted, but only on the area designated by signs as open to hunting. This open area is delineated on maps available at refuge headquarters, Burlington, Kansas, and from the Area Manager, U.S. Fish and Wildlife Service, Federal Building Room 1748, 601 East 12th Street, Kansas City, Missouri 64106. All applicable opening and closing hunting dates as established by State and Federal Laws apply, as well as all other State and Federal regulations. Refuge hunting shall be subject to the following special conditions:

(1) Vehicle access shall be restricted to designated parking areas and to existing roads.

(2) Blind construction by the public is permitted but limited to temporary above ground construction. Constructed blinds become the property of the government. Blind construction does not constitute a reservation of hunting space. Daily occupancy of blinds erected on refuge hunting units will be determined on a first-come-first-serve basis.

(3) The transportation or possession of firearms is not permitted on the Neosho River from the northern refuge boundary to the point where the river empties into John Redmond Reservoir.

The provisions of the special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

MICHAEL J. LONG,
Refuge Manager.

AUGUST 17, 1976.

[FR Doc.76-25641 Filed 9-1-76; 8:45 am]

PART 32—HUNTING

Flint Hills National Wildlife Refuge

The following special regulation is issued and is effective on September 2, 1976.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

KANSAS

FLINT HILLS NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves, quails, woodcock & wilson's snipe, on the Flint Hills National Wildlife Refuge, Kansas, is permitted only on the area designated by signs as open to hunting. This open area is delineated on maps available at refuge headquarters, Burlington, Kansas and from the Area Manager, U.S. Fish and Wildlife Service, Federal Building, Room 1748, 601 East 12th Street, Kansas City, Missouri 64106. Hunting seasons are in accordance with

Kansas State regulations, and all applicable State and Federal hunting laws and regulations apply.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective as applicable, through calendar year 1976.

MICHAEL J. LONG,
Refuge Manager.

AUGUST 17, 1976.

[FR Doc.76-25642 Filed 9-1-76; 8:45 am]

PART 32—HUNTING

Flint Hills National Wildlife Refuge

The following special regulation is issued and is effective September 2, 1976.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

KANSAS

FLINT HILLS NATIONAL WILDLIFE REFUGE

Public hunting of teal ducks, during a legally defined 'Early Teal Season', on the Flint Hills National Wildlife Refuge, Kansas, is permitted in accordance with Kansas State regulations, and all applicable State and Federal hunting laws and regulations, but only on the area designated by signs as open to hunting. This open area is delineated on maps available at refuge headquarters, Burlington, Kansas, and from the Area Manager, U.S. Fish and Wildlife Service, Federal Building Room 1748, 601 East 12th Street, Kansas City, Missouri 64106. The following special conditions apply on the refuge:

(1) Vehicle access shall be restricted to designated parking areas and to existing roads.

(2) Blind construction by the public is permitted but limited to temporary above-ground construction. Constructed blinds become the property of the government. Blind construction does not constitute a reservation of hunting space. Daily occupancy of blinds erected on refuge hunting units will be determined on a first-come-first-serve basis.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective as applicable, through calendar year 1976.

MICHAEL J. LONG,
Refuge Manager.

AUGUST 17, 1976.

[FR Doc.76-25643 Filed 9-1-76; 8:45 am]

PART 32—HUNTING

Flint Hills National Wildlife Refuge

The following special regulation is issued and is effective on September 2, 1976.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

KANSAS

FLINT HILLS NATIONAL WILDLIFE REFUGE

The public hunting of small game animals, upland game birds, fur bearing animals and non game animals on the Flint Hills National Wildlife Refuge, Kansas, is permitted from October 1, 1976, through September 30, 1977, inclusive, but only on the area designated by signs as open to hunting. This open area is delineated on maps available at refuge headquarters, Burlington, Kansas, and from the Area Manager, U.S. Fish and Wildlife Service, Federal Building, Room 1748, 601 East 12th Street, Kansas City, Missouri 64106. Hunting shall be in accordance with all applicable State laws and regulations governing the hunting of small game animals, upland game birds, fur bearing animals and non game animals subject to the following special conditions:

(1) The use of rifles or pistols are prohibited on the refuge.

(2) Vehicle access shall be restricted to designated parking areas and existing roads.

(3) Dogs may be used only for hunting and retrieving small game animals and game birds. Dogs may not be used for hunting fur bearing animals and non-game animals, either by sight or trailing by scent.

(4) Fur bearing animals may be taken upon issuance of a Special Use Permit by the Refuge Manager.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 30, 1977.

MICHAEL J. LONG,
Refuge Manager.

AUGUST 18, 1976.

[FR Doc.76-25644 Filed 9-1-76; 8:45 am]

PART 32—HUNTING

Erie National Wildlife Refuge

The following special regulation is issued and is effective during the period September 8, 1976 through March 15, 1977.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

PENNSYLVANIA

ERIE NATIONAL WILDLIFE REFUGE

Public hunting of migratory game birds on the Erie National Wildlife Refuge is permitted in accordance with all applicable State and Federal regulations. Such hunting is permitted only on the designated area, as delineated on maps available at refuge headquarters, Guys Mills, Pennsylvania, or from the Regional Director, U.S. Fish and Wildlife

Service, Post Office and Courthouse Building, Boston, Massachusetts 02109.

The provisions of this special regulation supplement the regulations governing hunting on wildlife areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through March 15, 1977.

HOWARD D. WOON,
Acting Regional Director,
U.S. Fish and Wildlife Service.

AUGUST 26, 1976.

[FR Doc.76-25637 Filed 9-1-76; 8:45 am]

PART 32—HUNTING

Bear River Migratory Bird Refuge, Utah

The following special regulation is issued and is effective on September 2, 1976.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

UTAH

BEAR RIVER MIGRATORY BIRD REFUGE

The public hunting of ducks, coots, mergansers and whistling swans on the Bear River Migratory Bird Refuge, Utah, is permitted from October 2, 1976 through January 2, 1977, inclusive; and geese from October 9, 1976 through December 19, 1976, inclusive, only on the area designated by signs as open to hunting. This area, comprising 12,855 acres, is delineated on maps available at refuge headquarters, Brigham City, Utah, and from the Area Office, Fish and Wildlife Service, Federal Building, Salt Lake City, Utah 84111. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, coot, mergansers and whistling swans subject to the following special regulations:

(1) *Steel Shot.* The exclusive use of steel shot is required on all days in both Hunting Area "A" and Area "B" for the entire season. The possession of lead shot within a refuge hunting area is prohibited, and having lead shot in one's possession will be considered prima facie evidence that the person possessing such shot is engaged in hunting with same; except lead shot may be possessed for transportation through designated travel lanes for use off refuge.

(2) *Hunting Areas.* No hunting is permitted from roadways or within 100 yards of any roadway in Area "A". No hunting is permitted from roadway or adjacent area as posted by signs in Area "B".

(3) *Boat Use.* The use of boats is permitted except that airthrust boats and aircycles may not be used in Unit 2 on weekends and holidays. Airboats may be launched only from designated boat ramps. Boats may be left at designated sites one week prior to and during the hunting season. All boats and trailers must be removed within two weeks after close of the hunting season.

(4) *Parking.* Hunters may park cars only at designated areas within the refuge.

(5) *Hunter Check Station.* All hunters entering Area "A" are required to register at the check station and check out before leaving the refuge. All hunters entering the Perry gate entrance to Area "B" are required to register and check out at the self registration counter provided.

(6) *Routes of Travel.* Travel to open hunting areas is permitted by foot or bicycle over roads between Units 1 and 2 and Units 2 and 3. Travel by boat is permitted from headquarter area boat ramps down canals between Units 1 and 2 and Units 2 and 3, and the main river channel into Unit 2. Vehicles with boats and trailers are permitted to travel dike roads to designated parking and launching sites. Travel by boat to reach lands outside refuge boundary will be permitted only over designated travel lanes through closed areas. Firearms must be unloaded and either cased or broken down when transported by motor vehicle or boat over the above designated travel lanes.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in 50 CFR Part 32, and are effective through January 2, 1977.

NED I. PEABODY,
Refuge Manager,
Bear River Migratory Bird Refuge.

AUGUST 26, 1976.

[FR Doc.76-25636 Filed 9-1-76;8:45 am]

PART 32—HUNTING

Monte Vista National Wildlife Refuge, Colo.

The following special regulation is issued and is effective on September 2, 1976.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

COLORADO

MONTE VISTA NATIONAL WILDLIFE REFUGE

The public hunting of geese, ducks, coots, mergansers, mourning doves, sora and Virginia rails, and Wilson's snipe on the Monte Vista National Wildlife Refuge, Colorado, is permitted in accordance with conditions as outlined below, but only on the area designated by signs as open to hunting:

(1) Ducks, coots and mergansers—October 2, 1976 through October 17, 1976, inclusive, and November 13, 1976 through January 18, 1977, inclusive.

(2) Canada geese—November 1, 1976 through December 31, 1976, inclusive. Hunting of Canada geese is restricted to those persons who have secured a special Colorado state permit for the Special San Luis Valley Goose Hunt.

(3) Mourning doves—October 2, 1976 through October 17, 1976, inclusive.

(4) Sora and Virginia rails—October 2, 1976 through October 17, 1976, inclusive, and November 1, 1976 through November 9, 1976, inclusive.

(5) Wilson's snipe—October 2, 1976 through October 17, 1976, inclusive, and November 1, 1976 through December 2, 1976, inclusive.

This open area, comprising 5,314 acres, is delineated on maps available at refuge headquarters, Monte Vista, Colorado, and from the Regional Director, U.S. Fish and Wildlife Service, 10597 West 6th Ave., Denver, Colorado 80215. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of geese, ducks, coots, mergansers, mourning doves, sora and Virginia rails, and Wilson's snipe, subject to the following special conditions:

(1) Shooting hours will be from one-half hour before sunrise until sunset for ducks, geese, coots and mergansers.

(2) Shooting hours will be from sunrise to sunset on mourning doves, sora and Virginia rails and Wilson's snipe.

(3) Admittance—Entrance to the area open to hunting, and parking of vehicles will be restricted to designated parking areas.

(4) Dogs—Not to exceed two dogs per hunter may be used in the hunting of the above species.

(5) Boats—The use of boats is prohibited. One or two-man life rafts that can be carried by an individual from the parking areas to the hunting area may be used to retrieve dead or wounded birds.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 18, 1977.

AUGUST 24, 1976.

CHARLES R. BRYANT,
Refuge Manager.

[FR Doc.76-25647 Filed 9-1-76;8:45 am]

PART 32—HUNTING

Prime Hook National Wildlife Refuge, Del.

The following special regulation is issued and is effective during the period September 8, 1976 through January 31, 1977.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

DELAWARE

PRIME HOOK NATIONAL WILDLIFE REFUGE

Public hunting of rails, gallinules, mourning doves, common snipe, woodcock, and crows is permitted only on the North Hunting Area. This open area, comprising approximately 2,320 acres, is delineated on maps available at refuge headquarters, Milton, Delaware 19968, and from the Regional Director, U.S. Fish and Wildlife Service, Post Office and Courthouse Building, Boston, Massachu-

setts 02109. Hunting shall be in accordance with all applicable Federal and State regulations covering the hunting of rails, gallinules, mourning doves, woodcock, common snipe and crows.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1977.

HOWARD D. WOON,
Acting Regional Director,
U.S. Fish and Wildlife Service.

AUGUST 26, 1976.

[FR Doc.76-25649 Filed 9-1-76;8:45 am]

PART 32—HUNTING California and Arizona

The following special regulations are issued and are effective on September 2, 1976.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

ARIZONA

KOFA GAME RANGE

The public hunting of quail, cottontail rabbits, coyotes, gray fox, and bobcat on the Kofa Game Range, Arizona, is permitted except in those areas designated by signs as closed to hunting. These open areas, comprising 660,000 acres, are delineated on maps available at refuge headquarters, Yuma, Arizona, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of quail, cottontail rabbits, coyotes, gray fox and bobcat subject to the following special conditions:

(1) The open season for hunting quail on the refuge extends from October 1, 1976 through January 31, 1977, inclusive.

(2) The open season for hunting coyotes, gray fox, bobcats and cottontail rabbits on the refuge extends from October 1, 1976 through January 31, 1977, inclusive.

(3) Possession or transportation of any loaded firearm or strung bow within or on any motorized vehicle or its attachments is prohibited. A loaded firearm shall mean any firearm containing any cartridge or ammunition in its chamber or magazine.

(4) Possession or transportation of any uncased firearm within or on any motorized vehicle or its attachments is prohibited. An uncased firearm shall mean any firearm not encased in any holster, scabbard or gun case (soft or hard).

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1977.

ARIZONA AND CALIFORNIA

CIBOLA NATIONAL WILDLIFE REFUGE

The public hunting of quail and cottontail rabbits on Cibola National Wildlife Refuge, Arizona and California, is permitted only on the areas designated by signs as open to hunting. These open areas, comprising 7,500 acres, are delineated on maps available at refuge headquarters, Blythe, California, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting seasons are as follows: Arizona—rabbit, from October 1, 1976 through January 31, 1977, inclusive; California—from September 1, 1976 through January 31, 1977, inclusive; Arizona—quail, from October 1, 1976 through January 31, 1977, inclusive; California—quail, from October 23, 1976 through January 30, 1977, inclusive. Hunting shall be in accordance with all applicable State regulations covering the hunting of quail and rabbit subject to the following special conditions:

(1) Up to 2 dogs per hunter are allowed for the purpose of legal bird hunting only.

(2) Hunting is prohibited within one-fourth mile of any occupied dwelling or 250 yards of any farm field worker.

(3) Campfires will be permitted only in designated areas. All other open fires are prohibited.

(4) Wildlife observation is permitted within the two closed hunting zones. Persons are permitted to use only established routes of travel.

(5) Cibola Lake, located in Zone 1, is closed to fishing and boating from October 1 through March 1 during the waterfowl use period.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1977.

HAVASU NATIONAL WILDLIFE REFUGE

The public hunting of quail, cottontail, and jackrabbits on the Havasu National Wildlife Refuge, Arizona and California, is permitted only on the area designated by signs as open to hunting. This open area, comprising 29,150 acres, is delineated on maps available at refuge headquarters, Needles, California, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting seasons are as follows: Arizona—quail, from October 1, 1976 through January 31, 1977, inclusive; cottontail and jackrabbits, from October 1, 1976 through January 31, 1977, inclusive. California—quail, from November 1, 1976 through January 30, 1977, inclusive; cottontail and jackrabbits, from September 1, 1976 through January 30, 1977, inclusive. Hunting shall be in accordance with all applicable State regulations covering the hunting of quail, cottontail and jackrabbits subject to the following special conditions:

(1) Hunting is prohibited within one-fourth mile of any occupied dwelling or concession operation.

(2) Weapons: Shotguns only, not larger than 10 gauge and incapable of holding more than 3 shells.

(3) Shooting hours: one-half hour before sunrise to sunset.

(4) Up to 2 dogs per hunter may be used for the purpose of hunting and retrieving.

(5) Hunters must enter the hunting area known as Topock Marsh by way of the parking lots only.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1977.

IMPERIAL NATIONAL WILDLIFE REFUGE

The public hunting of quail and cottontail rabbits on the Imperial National Wildlife Refuge, Arizona and California, is permitted only on the area designated by signs as open to hunting. This open area, comprising 16,500 acres, is delineated on maps available at refuge headquarters, Martinez Lake, Arizona, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting seasons are as follows: Arizona—quail and cottontail rabbits, from October 1, 1976 through January 31, 1977, inclusive. California—quail, from October 23, 1976 through January 30, 1977, inclusive; cottontail rabbits, from October 1 through January 30, 1977, inclusive. Hunting shall be in accordance with all applicable State regulations covering the hunting of quail and rabbits subject to the following special conditions:

(1) Quail and rabbits may be taken with shotguns only. Possession of .22 caliber rimfire firearms is prohibited.

(2) Up to 2 dogs per hunter may be used for the purpose of hunting and retrieving.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 30, 1977.

OKLAHOMA

SEQUOYAH NATIONAL WILDLIFE REFUGE

The public hunting of quail, rabbit and squirrel on the Sequoyah National Wildlife Refuge, Oklahoma, is permitted on three areas designated by signs as open to hunting. These open areas, comprising 10,500 acres, are delineated on maps available at refuge headquarters, Sallisaw, Oklahoma, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting seasons are as follows: quail, November 20, 1976 through the last day of the regular 1976-77 duck season, inclusive; rabbits, from October 2, 1976 through the last day of the regular 1976-77 duck season, inclusive; squirrel, from

September 1, 1976 through January 1, 1977, inclusive. Hunting shall be in accordance with all applicable State regulations covering the hunting of quail, squirrel, and rabbits subject to the following special conditions:

(1) Only shotguns without slug ammunition or longbow and arrow are permitted.

(2) Hunting weapons of any kind are prohibited in areas not posted as open to public hunting, except the Kerr-McClellan Navigation Channel where weapons must be cased or broken down.

(3) Dogs may be used for hunting quail or rabbit, but must be under immediate control or supervision and restrained from pursuit of protected species.

(4) Camping or possession of firearms on the refuge at night is prohibited.

(5) All vehicles must be parked in designated parking areas, as shown on maps available at refuge headquarters and at leaflet boxes throughout the public hunting area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through the last day of the regular 1976-77 duck season.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

OKLAHOMA

SALT PLAINS NATIONAL WILDLIFE REFUGE

The public hunting of deer is permitted on Salt Plains National Wildlife Refuge, Oklahoma, but only on the area designated by signs as open to hunting. This open area, comprising 2,341 acres, is delineated on maps available at refuge headquarters, 14 miles north of Jet, Oklahoma, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Participants will be determined through special drawing. Applications must be made on special pre-addressed forms. General instructions for obtaining and completing these special application forms are available from Salt Plains National Wildlife Refuge, Route 1, Box 49, Jet, Oklahoma 73749, or from the Oklahoma Department of Wildlife Conservation, 1801 N. Lincoln, Oklahoma City, Oklahoma 73105. Special applications must be obtained in the manner outlined in these general instructions no earlier than August 16, 1976 and no later than September 10, 1976. Completed applications must be received by the Oklahoma Department of Wildlife Conservation no later than September 15, 1976. Hunting shall be in accordance with all State regulations covering the hunting of deer subject to the following special conditions:

(1) The dates of the bow hunting season shall be October 23, 24, 30 and 31, 1976.

(2) The dates of the primitive firearms hunting season shall be November 6 and 7, 1976.

(3) The dates of the modern gun hunting season shall be November 20, 21, 23, 24, 27 and 28, 1976.

(4) Hunters must check in at the refuge office prior to entering the assigned hunting area and must check out at the refuge office upon leaving the area.

(5) Shooting hours on the refuge will end each day at sunset.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 28, 1976.

WICHITA MOUNTAINS WILDLIFE REFUGE

The public hunting of elk on the Wichita Mountains Wildlife Refuge, Oklahoma, is permitted only in the Pinchot, Graham Flat, North Mountains and Quanah-Elk Mountain Units. The open hunting area, comprising 47,200 acres, is delineated on maps available at refuge headquarters, Cache, Oklahoma, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of elk subject to the following special conditions:

(1) Hunting days will be restricted to December 14, 15 and 16 (Tuesday, Wednesday and Thursday), 1976.

(2) No personnel of the U.S. Fish and Wildlife Service or of the Oklahoma Department of Wildlife Conservation are eligible to hunt.

(3) Except as provided in special condition (4) below, the applicable portions of the Quanah-Elk Mountain Unit will be closed to all public use except elk hunting during hunt period.

(4) Authorized hunters may retain approved, unloaded hunting rifles and camp overnight (in Camp Doris only) during this period when the Quanah-Elk Mountain Unit is closed to all other public use. Such camping hunters may be accompanied by, not to exceed, one camping companion who will be confined to Camp Doris or refuge headquarters during hunt period unless authorized to assist with the removal of game by the Refuge Manager or his agent.

(5) Authorized hunters will comply with all official written refuge rules and regulations issued at mandatory hunter briefings. Violation of any of these rules or regulations, or of any Federal or State hunting law, will terminate the hunt of the person or persons so involved.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 16, 1976.

TEXAS

LAGUNA ATASCOSA NATIONAL WILDLIFE REFUGE

The public hunting of deer on the Laguna Atascosa National Wildlife Refuge, Texas, is permitted only on the area designated by signs as open to hunting. This open area, comprising 19,240 acres, is delineated on maps available at refuge headquarters, Harlingen, Texas, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State regulations covering the archery hunt of deer subject to the following special conditions:

(1) Hunting with, or possession of, weapons other than long bow is not permitted.

(2) The open season for hunting deer on the refuge is from sunrise to 2 p.m., Fridays through Mondays, October 1, 2, 3, 8, 9, 10, 15, 16 and 17, 1976.

(3) Hunting hours will close at 2 p.m. each day.

(4) The bag limit is 2 buck deer.

(5) Target and field arrows are not permitted.

(6) Hunters must check in and out each day of the hunt at the Laguna Atascosa field office, which will be open one hour before sunrise to 2 p.m. Permits will be issued and collected at this point. Deer must be checked out at this check point.

(7) Vehicles will not be permitted off refuge roads or beyond blocked off gates.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 17, 1976.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

TEXAS

LAGUNA ATASCOSA NATIONAL WILDLIFE REFUGE

The hunting of upland game on the Laguna Atascosa National Wildlife Refuge, Texas, is suspended for the 1976-77 hunting season. It has been determined that a huntable population of upland game is not available on the refuge this year.

W. O. NELSON, Jr.,
Regional Director,
Albuquerque, New Mexico.

AUGUST 24, 1976.

[FR Doc.76-25646 Filed 9-1-76;8:45 am]

PART 32—HUNTING

Monte Vista National Wildlife Refuge, Colo.

The following special regulation is issued and is effective on September 2, 1976.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

COLORADO

MONTE VISTA NATIONAL WILDLIFE REFUGE

The public hunting of cottontail rabbits, white and black-tailed jack rabbits, striped skunk, spotted skunk, badger, raccoon, coyote and bobcat on the Monte Vista National Wildlife Refuge, Colorado, is permitted in accordance with conditions as outlined below, but only on the area designated by signs as open to hunting:

(1) Cottontail rabbits, white and black-tailed jack rabbits, striped skunk, spotted skunk, badger, raccoon, and coyote—October 2, 1976 through October 17, 1976, inclusive, and November 1, 1976 through January 18, 1977, inclusive.

(2) Bobcat—October 15, 1976 through October 17, 1976, inclusive, and November 1, 1976 through January 18, 1977, inclusive.

This open area, comprising 5,314 acres, is delineated on maps available at refuge headquarters, Monte Vista, Colorado, and from the Regional Director, U.S. Fish and Wildlife Service, 10597 West 6th Ave., Denver, Colorado 80215. Hunting shall be in accordance with all applicable State regulations governing the hunting of cottontail rabbits, white and black-tailed jack rabbits, striped skunk, spotted skunk, badger, raccoon, coyote, and bobcat, subject to the following special conditions:

(1) Shooting hours for cottontail rabbits will be from sunrise to sunset except during the pheasant season when they shall coincide with the shooting hours set for this season by State proclamation.

(2) Shooting hours for white and black-tailed jack rabbits, striped skunk, spotted skunk, badger, raccoon, coyote, and bobcat shall coincide with those set by Federal and State proclamation for the hunting of migratory waterfowl.

(3) Admittance—Entrance to the area open to hunting and parking of vehicles will be restricted to designated parking areas.

(4) Dogs—Not to exceed two dogs per hunter may be used in the hunting of the above species.

(5) Hunting with rifles and hand guns is prohibited.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 18, 1977.

CHARLES R. BRYANT,
Refuge Manager, Monte Vista
National Wildlife Refuge.

AUGUST 24, 1976.

[FR Doc.76-25648 Filed 9-1-76;8:45 am]

PART 32—HUNTING**Kirwin National Wildlife Refuge, Kansas**

The following special regulation is issued and is effective September 2, 1976.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

KANSAS**KIRWIN NATIONAL WILDLIFE REFUGE**

Public hunting of pheasants, quail, cottontail rabbits, and fox squirrels on the Kirwin National Wildlife Refuge, Kansas, is permitted only on the area designated by signs as open to hunting. This open area, comprising 3,700 acres, is delineated on maps available at refuge headquarters, 5 miles west of Kirwin, Kansas, and from the Regional Director, Fish and Wildlife Service, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225. Hunting shall be in accordance with all applicable State regulations governing the hunting of pheasants, quail, cottontail rabbits, and fox squirrels subject to the following special conditions.

(1) The open season for hunting pheasants on the refuge extends from November 13, 1976, through January 31, 1977, inclusive.

(2) The open season for hunting quail on the refuge extends from November 20, 1976, through January 31, 1977, inclusive.

(3) The open season for hunting cottontail rabbits and fox squirrels on the refuge shall be only on those days during the open season for the hunting of pheasants and quail.

(4) Shotguns and bow and arrows are legal weapons. Rifles or handguns will not be permitted.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1977.

KEITH S. HANSEN,
Refuge Manager, Kirwin National Wildlife Refuge, Kirwin, Kansas.

AUGUST 17, 1976.

[FR Doc.76-25739 Filed 9-1-76;8:45 am]

PART 32—HUNTING**National Wildlife Refuges, Montana**

The following special regulations are issued and are effective September 2, 1976.

§ 32.12 Special regulations; migratory game birds, upland game birds, big game; for individual wildlife refuge areas.

MONTANA

National Bison Range, Ninepipe and Pablo Refuges, Northwestern Montana Wetlands, and Swan River Refuge, all in northwestern Montana.

(1) Hunting is prohibited on the National Bison Range and Ninepipe and Pablo Refuges.

(2) Northwestern Montana Wetlands as posted are open to public hunting in accordance with State and Federal hunting regulations. Flathead Waterfowl Production Area is closed to big game hunting.

(3) Swan River Refuge is open to public hunting as posted.

SPECIAL CONDITIONS

(a) Hunting blinds must be constructed of native material available at the hunting site. Construction of blind does not establish priority to the blind or the hunting area.

(b) Use of dogs is permitted during the waterfowl and pheasant hunting seasons only.

(c) Vehicle travel is permitted only on designated roads and parking areas.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

MARVIN R. KASCHKE,
Refuge Manager,
National Bison Range.

AUGUST 27, 1976.

[FR Doc.76-25738 Filed 9-1-76;8:45 am]

PART 33—SPORT FISHING**Flint Hills National Wildlife Refuge, Kans.**

The following special regulation is issued and is effective on September 2, 1976.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

KANSAS**FLINT HILLS NATIONAL WILDLIFE REFUGE**

Sport fishing including the taking of frogs, on the Flint Hills National Wildlife Refuge, Kansas, is permitted only on the areas designated as open to fishing. These open areas, comprising 1,500 acres of reservoir waters and approximately 28 miles of river and stream channel, are delineated on maps available at refuge headquarters, Burlington, Kansas, and from the Area Manager, U.S. Fish and Wildlife Service, Federal Building, Room 1748, 601 East 12th Street, Kansas City, Missouri 64106. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) During the period October 1, 1976 through December 31, 1976, only Eagle Creek, the Neosho River and impoundments in the Eagle Creek and Hartford hunting units are open to public fishing, except the Neosho River Oxbow northeast of the Strawn townsite is closed, as marked by buoys.

(2) During the period January 1, 1977 through September 30, 1977 all waters within the Flint Hills Refuge are open to sport fishing and the taking of bullfrogs when in accordance with State of Kansas seasons.

(3) Vehicle access shall be confined to existing roads and trails not otherwise marked as closed to vehicle use.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through September 30, 1977.

MICHAEL J. LONG,
Refuge Manager, Flint Hills
National Wildlife Refuge.

AUGUST 17, 1976.

[FR Doc.76-25645 Filed 9-1-76;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-2134]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of City of Elizabeth, New Jersey, Base Flood Elevations

On June 25, 1976, at 41 FR 26411, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas. The list included Flood Insurance Rate Maps for portions of the City of Elizabeth, New Jersey.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in the City of Elizabeth. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended, (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448) (42 U.S.C. 4001-4128), and 24 CFR Part 1916.

For rating purposes, the new community number is 345523C, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the

Administrator's new determination of elevations may itself be changed.

Any persons having knowledge or wishing to comment on these changes should immediately notify:

Mayor Thomas G. Dunn, West Scott Place, Elizabeth, New Jersey 07201.

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the City of Elizabeth, New Jersey Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the City of Elizabeth, New Jersey map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 17, 1976.

R. W. KRIMM,
Acting Federal Insurance
Administrator.

[FR Doc.76-25788 Filed 9-1-76;8:45 am]

[Docket No. FI-2134]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of City of Grand Prairie, Texas, Base Flood Elevations

On June 25, 1976, at 41 FR 26408, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas. The list included Flood Insurance Rate Maps for portions of Grand Prairie.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in Grand Prairie. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448) (42 U.S.C. 4001-4128), and 24 CFR Part 1916.

For rating purposes, the new community number is 485472A, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to

carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the Administrator's new determination of elevations may itself be changed.

Any persons having knowledge or wishing to comment on these changes should immediately notify:

Mr. J. B. Foster, P.E., City Engineer, City of Grand Prairie, P.O. Box 11, Grand Prairie, Texas 75050.

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the Grand Prairie Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the Grand Prairie map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 5, 1976.

H. B. CLARK,
Acting Federal Insurance
Administrator.

[FR Doc.76-25790 Filed 9-1-76;8:45 am]

[Docket No. FI-2134]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of Lincoln, Nebraska, Base Flood Elevations

On June 25, 1976, at 41 FR 26410, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas. The list included Flood Insurance Rate Maps for portions of Lincoln, Nebraska.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in Lincoln. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and

are in accordance with the National Flood Insurance Act of 1968, as amended, (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448) (42 U.S.C. 4001-4128), and 24 CFR Part 1916.

For rating purposes, the new community number is 315273A, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the Administrator's new determination of elevations may itself be changed.

Any persons having knowledge or wishing to comment on these changes should immediately notify:

Mr. Douglas E. Brodgen, Planning Director, Lincoln City-Lancaster County Planning Department, 555 South 10th Street, Lincoln, Nebraska 68508.

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the Lincoln Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the Lincoln map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 19, 1976.

H. B. CLARK,
Acting Federal Insurance
Administrator.

[FR Doc.76-25787 Filed 9-1-76;8:45 am]

[Docket No. FI-2134]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of New Providence, New Jersey, Base Flood Elevations

On June 25, 1976, at 41 FR 26411, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas. The list included

Flood Insurance Rate Maps for portions of New Providence, New Jersey.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in New Providence. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended, (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448) (42 U.S.C. 4001-4128), and 24 CFR Part 1916.

For rating purposes, the new community number is 345306B, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the Administrator's new determination of elevations may itself be changed.

Any persons having knowledge or wishing to comment on these changes should immediately notify:

Mr. J. D. Clark, Borough Administrator, Borough of New Providence, 1243 Springfield Avenue, New Providence, New Jersey 07974.

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the New Providence Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the New Providence map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Admin-

istrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 17, 1976.

H. B. CLARK,
Acting Federal
Insurance Administrator.

[FR Doc. 76-25789 Filed 9-1-76; 8:45 am]

[Docket No. FI-2134]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of Orleans Parish, Louisiana, Base Flood Elevations

On June 25, 1976, at 41 FR 26408, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas. The list included Flood Insurance Rate Maps for portions of Orleans Parish, Louisiana.

The Federal Insurance Administrator, after consultation with the Chief Executive Officer of the community, has determined that modification of the base (100-year) flood elevations of some locations in Orleans Parish, Louisiana, is appropriate. These modified elevations are currently in effect and amend the Flood Insurance Rate Map. A revised rate map will be published as soon as possible. The modifications are made pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448), (42 U.S.C. 4001-4128), and 24 CFR Part 1916.

For rating purposes, the new community number is 225203B and must be used for all new policies and renewals.

The changes in base flood elevations are as follows:

Previous FIA zones, as on map	Previous base flood elevations, as on map (MSL)	New FIA zones
V10.....	10.3 ft.....	A0

The area affected by the above zone change is described as follows:

The area south of Lake Avenue and west of Lakeshore Drive. Lake Avenue is here defined as the centerline of Lake Avenue, extended west to the corporate limits.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on knowledge of changed conditions or new scientific and technical data. All interested parties are on notice that until the 90-day period elapses, the Administrator's new determination of elevations may itself be changed.

Any person having knowledge or wishing to comment on these changes should immediately notify:

Mayor Moon Landrieu, City Hall, 1300 Perdido Street, New Orleans, Louisiana 70112.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 16, 1976.

H. B. CLARK,
Acting Federal
Insurance Administrator.

[FR Doc. 76-25786 Filed 9-1-76; 8:45 am]

Title 49—Transportation

CHAPTER I—MATERIALS TRANSPORTATION BUREAU, DEPARTMENT OF TRANSPORTATION

[Docket No. HM-137; Amdt. Nos. 172-31, 173-99]

PART 172—HAZARDOUS MATERIALS TABLE AND HAZARDOUS COMMUNICATIONS REGULATIONS

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

Transportation of Gallium Metal

The purpose of this amendment to the regulations governing the transportation of hazardous materials is to (1) prohibit the transportation of gallium metal in liquid form aboard aircraft, (2) specify requirements for packaging solid gallium aboard aircraft, and (3) specify packaging requirements for both solid and liquid forms of gallium by surface transportation.

A recent spillage of liquid gallium metal on board an aircraft of foreign registry resulted in damage to seat rails and small floor panels within the aircraft. This incident, which was reported to the Federal Aviation Administration by the Civil Aviation Authority of the United Kingdom, suggests the need for recognizing and treating gallium as a hazardous material for the purposes of transportation.

Gallium, a silvery white metal, may exist as either a liquid or a solid at temperatures normally encountered during transportation. Its melting point is 86° F (30° C), but it may exist as a supercooled liquid at temperatures as low as

32° F (0° C). A hazardous chemical effect of gallium metal is that it can be very detrimental to most metals, especially to aluminum. Information received by the Materials Transportation Bureau concerning test results has revealed that sheet aluminum (1/16-inch thick), such as that used in the construction of aircraft, is severely embrittled by exposure to small amounts of liquid gallium and that the sheets crumble after a few minutes of exposure. The Bureau has no evidence that gallium has any other hazardous properties.

The Bureau has been informed that gallium metal is being shipped by air transportation in both solid and liquid

form. If spilled, liquid gallium could cause severe damage to metal components of transporting aircraft.

In recognition of the hazard potential posed by this material, the Bureau is prescribing quantity limitations and packaging requirements for both liquid and solid gallium metal. In addition to these new requirements, the provisions of 49 CFR Part 172, Subparts C and D (relating to shipping papers and marking) and § 173.6 (relating to air shipments) are applicable to shipments of gallium metal upon the effective date of this amendment.

Since a situation exists which requires expeditious adoption of this amendment,

notice and public procedures hereon are impracticable and good cause exists for making this amendment effective in less than 30 days after publication in the FEDERAL REGISTER.

This is not a major Federal action and will not significantly affect the quality of human environment.

In view of the foregoing, Parts 172 and 173 of title 49, Code of Federal Regulations, are amended as follows:

1. In § 172.101 the Hazardous Materials Table is amended by adding, in alphabetical sequence, entries for "Gallium metal, liquid" and "Gallium metal, solid" to read as follows:

§ 172.101 Hazardous Materials Table.

(1) Hazardous materials descriptions and proper shipping names	(2) Hazard class	(3) Label(s) required (if not excepted)	(4) Packaging		(5) Maximum net quantity in one package		(6) Water shipments		
			(a) Exceptions	(b) Specific requirements	(a) Passenger-carrying aircraft or railcar	(b) Cargo only aircraft	(a) Cargo vessel	(b) Passenger vessel	(c) Other requirements
Gallium metal, liquid.....	ORM-B	None	None	173.861	Forbidden	Forbidden	1	5	None.
Gallium metal, solid.....	ORM-B	do	do	173.862	40 lb.	40 lb.	1,3	1	Shade from radiant heat.

2. In Part 173, new §§ 173.861 and 173.862 are added immediately following § 173.860 to read as follows:

§ 173.861 Gallium metal, liquid.

Gallium metal, liquid, when offered for transportation, must be packaged in earthenware, glass, or plastic inside packagings of not more than 5 pounds net capacity each packed in strong outside packagings. Either the inside or outside packagings must have complete enveloping linings or bags of strong, leak-tight, and puncture-resistant material impervious to liquid gallium metal.

§ 173.862 Gallium metal, solid.

Gallium metal, solid, when offered for transportation, must be packaged in glass or rigid plastic inside packagings of not more than 5 pounds net capacity each, enclosed in a sealed bag of strong, leak-tight, and puncture-resistant material impervious to liquid gallium. The sealed bag must be placed in a packaging constructed of wood, fiberboard, or plastic which is lined with a strong, leak-tight, and puncture-resistant material impervious to liquid gallium. This packaging must be enclosed in an outer packaging which contains dry ice or other means of refrigeration sufficient to maintain the gallium in a completely solid state during the entire anticipated time the gallium will be in transportation to its destination.

(18 U.S.C. 834; 46 U.S.C. 170(7); 49 U.S.C. 1471; 49 CFR 1.53(f)-(h).)

Effective date. This amendment takes effect on September 4, 1976.

Issued in Washington, D.C. on August 30, 1976.

JAMES T. CURTIS, Jr.,
Director,
Materials Transportation Bureau.

[FR Doc. 76-25714 Filed 9-1-76; 8:45 am]

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 71-19; Notice 5]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars

This notice amends Standard No. 120, Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars (49 CFR 571.120), to permit, until February 28, 1977, the equipping of new non-passenger-car vehicles with tires that do not meet certain tire labeling requirements but that otherwise meet all requirements of Standard No. 119 (New Pneumatic Tires for Vehicles Other Than Passenger Cars).

Standard No. 120 was issued on January 19, 1976 (41 FR 3478; January 23, 1976; Docket No. 71-19, Notice 3). It specifies tire and rim selection requirements for multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles, and marking requirements for rims for use on these vehicles. It also adds tire and rim matching information to the items required to appear on such vehicles' certification labels. A staggered sequence of effective dates was set out in

Notice 3, beginning with September 1, 1976.

In Notice 4 (41 FR 18659; May 6, 1976), the NHTSA delayed several of these effective dates, to permit manufacturers to defer preparation for compliance with the corresponding requirements pending action on petitions for reconsideration of Notice 3. The NHTSA expects to respond to those petitions in the near future. Notice 4 did not, however, change the basic September 1, 1976, effective date of the tire and rim selection requirements of S5.1. Beginning on that date, S5.1.1 of Standard No. 120 would require, with an exception that is not relevant here, new non-passenger-car vehicles to be equipped with tires that meet either Standard No. 109 (which is applicable to passenger car tires) or Standard No. 119 (which is applicable to all other tires). The practical effect is to require most such vehicles to be equipped with Standard 119 tires, because Standard 109 tires are appropriate for use only on certain non-passenger-car vehicles.

Standard No. 119 became effective on March 1, 1975, with an option to delay implementation of its labeling requirements until March 3, 1975 (see 40 FR 8188; February 26, 1975).

The NHTSA has received petitions for rulemaking from International Harvester (IH) and Ford Motor Company. International Harvester indicated that, in anticipation of the recent strike against the nation's four largest tire manufacturers, it had accumulated an excess inventory of "pre-Standard 119 tires." IH stated that these tires meet the performance requirements of Standard No. 119 but not

the labeling requirements. It petitioned for a six-month delay of the September 1, 1976, effective date of Standard No. 120's tire selection requirements, to permit the orderly depletion of this inventory.

Ford's petition focused on the difficulty, due to the strike, in obtaining in the near future sufficient quantities of tires that comply fully with Standard No. 119. Ford indicated that there are similar pre-Standard 119 tires available to it. It petitioned for an amendment to Standard No. 120 to permit the use of such insufficiently labeled tires.

The NHTSA believes that the approach suggested by Ford, because it will provide the necessary relief while preserving the required level of performance, is preferable to a simple delay of the September 1, 1976, effective date. Safety of performance of such tires or of vehicles equipped with them is thus not a major issue. The NHTSA has determined that, while granting the relief requested by these petitions may temporarily make enforcement by this agency more difficult and may postpone the availability of certain tire labeling information to users of new vehicles subject to Standard No. 120, the avoidance of a serious disruption in the truck manufacturing process in this situation is appropriate and in the public interest. Accordingly, this notice adds a new section to Standard

No. 120 that permits, for six months, the use of tires that are not properly labeled but otherwise meet all requirements of Standard No. 119.

In accordance with recently enunciated Department of Transportation policy encouraging adequate analysis of the consequences of regulatory action (41 FR 16200; April 16, 1976), the agency herewith summarizes its evaluation of the economic and other consequences of this action on the public and private sectors, including possible loss of safety benefits. This action imposes no new economic or environmental costs. It creates the benefit of avoidance of serious economic disruption. In light of this benefit and the fact that the required level of tire performance is preserved, any loss in safety benefits would be insignificant in this case.

Because of the imminent effective date of a requirement which would otherwise lead to serious economic disruption, the NHTSA for good cause finds that notice and public procedure on this amendment are impracticable and contrary to the public interest.

In consideration of the foregoing, 49 CFR 571.120 (Standard No. 120, Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars) is amended by the addition of a new section to read as follows:

§ 571.120 Standard No. 120; tire selection and rims for motor vehicles other than passenger cars.

* * * * *

S6. *Vehicles manufactured from September 1, 1976, to February 28, 1977.* Notwithstanding any other provision of this standard, a vehicle to which this standard applies that is manufactured during the period from September 1, 1976, to February 28, 1977, shall meet each requirement of this standard, with the following exception: In place of tires that meet Standard No. 119 (§ 571.119), the vehicle may be equipped with tires that meet every requirement of that standard other than the tire marking requirements of S6.5 of that standard.

Effective date: August 27, 1976. Because this amendment relieves a restriction, it is found, for good cause shown, that an immediate effective date is in the public interest.

(Secs. 103, 112, 114, 119, 201, 202, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1401, 1403, 1407, 1421, 1422); delegation of authority at 49 CFR 1.50)

Issued on August 27, 1976.

ROBERT L. CARTER,
Acting Administrator.

NOTE.— This document was originally published on Tuesday, August 31, 1976 at 41 FR 36657.

[FR Doc. 76-25586 Filed 8-27-76; 3:20 pm]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE TREASURY

Fiscal Service

[31 CFR Part 210]

FEDERAL RECURRING PAYMENTS THROUGH FINANCIAL ORGANIZATIONS BY MEANS OTHER THAN BY CHECK

Extension of Time To Comment on Proposed Rules

On August 4, 1976, there was published in the FEDERAL REGISTER (41 FR 32605) a notice of proposed rulemaking to amend Part 210 of the Code of Federal Regulations (as added by 40 FR 47492, Oct. 9, 1975). (A correction to this Notice was published in the FEDERAL REGISTER on August 25, 1976). The Notice stated that written comments on the proposed rules could be submitted within thirty days, i.e. by September 3, 1976. Interested parties have requested that the comment period be extended. Accordingly, written comments on the proposed rules may be submitted to the Fiscal Assistant Secretary of the Treasury, Department of the Treasury, Washington, D.C. 20220 up to and including September 17, 1976.

Dated: August 27, 1976.

DAVID MOSSO,
Fiscal Assistant Secretary.

[FR Doc.76-25669 Filed 9-1-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 221]

AHTANUM INDIAN IRRIGATION PROJECT

Water Charges

These proposed regulations are being considered for issuance under the authority delegated to the Commissioner of Indian Affairs by the Secretary of the Interior in 230 DM 1 and redelegated by the Commissioner to the Area Director in 10 BIAM 3.

Notice is hereby given that it is proposed to modify § 221.1 of Part 221, Subchapter T, Chapter I, of Title 25 of the Code of Federal Regulations by changing the rate for annual operation and maintenance assessments on the Ahtanum Indian Irrigation Project for Calendar Year 1977 and subsequent years. This modification is proposed pursuant to the authority contained in the Acts of August 1, 1914 (38 Stat. 583) and March 7, 1928 (45 Stat. 210).

The purpose of this modification is to increase the assessment rate to more accurately reflect the actual operation and maintenance costs based on the

previous year's operating experience and the anticipated program of work.

The public is welcome to participate in the rule making process of the Department of the Interior. Accordingly, interested persons may submit written comments, views or arguments with respect to the proposed rate to the Area Director, Portland Area Office, Bureau of Indian Affairs, Post Office Box 3785, Portland, Oregon 97208, on or before October 4, 1976.

Section 221.1 of Chapter I, Title 25 of the Code of Federal Regulations is revised to read as follows:

§ 221.1 Charges.

The operation and maintenance rate on lands of the Ahtanum Indian Irrigation Project, Yakima Indian Reservation, Washington, for the Calendar Year 1977 and subsequent years until further notice, is hereby fixed at \$5.25 per acre per annum for each irrigable acre of land to which water can be delivered from the project works.

FRANCIS E. BRISCOE,
Area Director.

AUGUST 26, 1976.

[FR Doc.76-25736 Filed 9-1-76;8:45 am]

[25 CFR Part 221]

TOPPENISH-SIMCOE INDIAN IRRIGATION PROJECT

Water Charges

These proposed regulations are being considered for issuance under the authority delegated to the Commissioner of Indian Affairs by the Secretary of the Interior in 230 DM 1 and redelegated by the Commissioner to the Area Director in 10 BIAM 3.

Notice is hereby given that it is proposed to modify § 221.73 of Part 221, Subchapter T, Chapter I, of Title 25 of the Code of Federal Regulations by changing the basic rate for annual operation and maintenance assessments on the Toppenish-Simcoe Indian Irrigation Project for Calendar Year 1977 and subsequent years. This modification is proposed pursuant to the authority contained in the Acts of August 1, 1914 (38 Stat. 583) and March 7, 1928 (45 Stat. 210).

The purpose of this modification is to increase the assessment rate to more accurately reflect the actual operation and maintenance costs based on the previous year's operating experience and the anticipated program of work.

The public is welcome to participate in the rule making process of the Depart-

ment of the Interior. Accordingly, interested persons may submit written comments, views or arguments with respect to the proposed rate to the Area Director, Portland Area Office, Bureau of Indian Affairs, Post Office Box 3785, Portland, Oregon 97208, on or before October 4, 1976.

Section 221.73 of Chapter I, Title 25 of the Code of Federal Regulations is revised to read as follows:

§ 221.73 Charges.

The operation and maintenance rate for the lands under the Toppenish-Simcoe Irrigation Project, Yakima Indian Reservation, Washington, for the Calendar Year 1977 and subsequent years until further notice, is hereby fixed at \$5.45 per acre per annum for all lands for which application for water is made and approved by Project Engineer.

FRANCIS E. BRISCOE,
Area Director.

AUGUST 26, 1976.

[FR Doc.76-25735 Filed 9-1-76;8:45 am]

[25 CFR Part 221]

WAPATO INDIAN IRRIGATION PROJECT

Basic and Other Water Charges

These proposed regulations are being considered for issuance under the authority delegated to the Commissioner of Indian Affairs by the Secretary of the Interior in 230 DM 1 and redelegated by the Commissioner to the Area Director in 10 BIAM 3.

Notice is hereby given that it is proposed to modify § 221.86 of Part 221, Subchapter T, Chapter I, of Title 25 of the Code of Federal Regulations by changing the basic rate for annual operation and maintenance assessments on the Wapato Indian Irrigation Project for Calendar Year 1977 and subsequent years. This modification is proposed pursuant to the authority contained in the Acts of August 1, 1914 (38 Stat. 583) and March 7, 1928 (45 Stat. 210).

The purpose of this modification is to increase the assessment rate to more accurately reflect the actual operation and maintenance costs based on the previous year's operating experience and the anticipated program of work.

The public is welcome to participate in the rule making process of the Department of the Interior. Accordingly, interested persons may submit written comments, views or arguments with respect to the proposed rates to the Area Director, Portland Area Office, Bureau of Indian Affairs, Post Office Box 3785, Portland, Oregon 97208, on or before October 4, 1976.

Section 221.86 of Chapter I, Title 25 of the Code of Federal Regulations is revised to read as follows:

§ 221.86 Charges.

The basic operation and maintenance rates on assessable lands under the Wapato Indian Irrigation Project, Yakima Indian Reservation, Washington, for the Calendar Year 1977 and subsequent years until further notice are:

(1) Minimum charges for all tracts in noncontiguous single ownership	\$14.00
(2) Flat rate upon all farm units or tracts for each assessable acre except Additional Works lands	14.00
(3) Storage operation and maintenance. For all lands with a storage water right, known as "B" lands, in addition to other charges per acre	1.80
(4) Flat rate upon all farm units or tracts for each assessable acre of Additional Works lands	14.90

FRANCIS E. BRISCOE,
Area Director.

AUGUST 26, 1976.

[FR Doc.76-25734 Filed 9-1-76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 1]

[CGD 76-124]

GENERAL PROVISIONS

Proposed Exceptions to Fees and Charges for Certain Records for Duplicate Documents, Certificates, or Licenses

The Coast Guard and the Department of Transportation are authorized by 31 U.S.C. 483a to promulgate regulations to prescribe fees and charges for making copies or excerpts of records, and for issuing certain duplicate documents, certificates, or licenses. The Coast Guard regulations are in 33 CFR, Subpart 1.25. The departmental regulations establishing similar fees are in 49 CFR, Part 7, Subpart I. Some of the regulations in 33 CFR 1.25-30 duplicate or are in conflict with the departmental regulations. This condition has and will continue to create confusion unless rectified.

The Coast Guard regulations which duplicate or conflict with departmental regulations are as follows:

- 33 CFR 1.25-30(b) (1) substantially duplicates 49 CFR 7.97(b) (3).
- 33 CFR 1.25-30(b) (2) is in conflict with 49 CFR, Part 7 because under 49 CFR 7.97(c) documents are furnished without charge or at a reduced charge only when the service primarily benefits the general public.
- 33 CFR 1.25-30(b) (5) duplicated 49 CFR 7.97(b) (3).
- 33 CFR 1.25-30(b) (9) is ambiguous and in error since the Coast Guard does not earn income.
- 33 CFR 1.25-30(b) (10) is ambiguous because there are no criteria to determine what are general business customs.

g. 33 CFR 1.25-30(b) (11) duplicates 49 CFR 7.97(b) (1).

Interested parties are invited to participate in the proposed rule making by submitting written data, views, or arguments to the Executive Secretary, Marine Safety Council (G-CMC/81), Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590. Written comments should include the docket number (CGD 76-124), the name and address of the person submitting the comments and the specific section of the proposal to which each comment is addressed. Two or more copies of comments submitted are encouraged. Comments received before October 18, 1976, will be considered before final action is taken on this proposal.

Copies of all written comments will be available for examination in Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590.

No hearing is contemplated but may be held at a time and place set in a later notice in the FEDERAL REGISTER, if requested by an interested party desiring an opportunity to comment orally at a public hearing and raising a genuine issue.

In consideration of the foregoing, it is proposed to amend Part 1 of Title 33 of the Code of Federal Regulations by § 1.25-30(b) to read as follows:

§ 1.25-30 Exceptions.

- (1) A person who donated the original document.
- (2) A person who has an official, voluntary or cooperative relationship to the Coast Guard in rendering services promoting safety of life and property.
- (3) Any agency, corporation or branch of the Federal Government.
- (4) A person found guilty by an administrative law judge receives one copy of the transcript of the hearing if he—
 - (i) Files a notice of appeal, under 46 CFR 5.30-1; and
 - (ii) Requests a copy of the transcript.
- (5) A person who has been required to furnish personal documents retained by the Coast Guard.
- (6) For other exceptions see 49 CFR 7.97.

(5 U.S.C. 552, 14 U.S.C. 632, 633, 31 U.S.C. 483a, 49 U.S.C. 1655(b) (1); 49 CFR 1.46(b))

Dated: August 25, 1976.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Merchant Marine Safety.

[FR Doc.76-25721 Filed 9-1-76;8:45 a.m.]

[33 CFR Part 117]

[CGD 76-177]

COFFEE POT BAYOU, FLA.

Proposed Drawbridge Operation Regulations

At the request of the City of St. Petersburg, the Coast Guard is considering re-

vising the regulations for the Snell Isle Boulevard bridge across Coffee Pot Bayou to allow the draw to remain closed to navigation. This is being considered because vessels seldom use this reach of the Coffee Pot Bayou. There have been no openings in over 10 years.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Seventh Coast Guard District, 51 SW. 1st Avenue, Miami, Florida 33130. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Seventh Coast Guard District.

The Commander, Seventh Coast Guard District, will forward any comments received before October 5, 1976, with his recommendations to the Chief, Office of Marine Environment and Systems, U.S. Coast Guard Headquarters, Washington, D.C., who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by revising § 117.245 (i) (4) to read as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

- (1) Coffee Pot Bayou, St. Petersburg, Fla. The draw need not open for the passage of vessels, and paragraphs (b) through (e) of this section shall not apply to this bridge.

(Sec. 5, 28 Stat. 362, as amended, sec. 8(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g) (2); 49 CFR 1.46(c) (5), 33 CFR 1.05-1(c) (4))

Dated: August 26, 1976.

A. F. FUGARO,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Marine Environment and Systems.

[FR Doc.76-25726 Filed 9-1-76;8:45 am]

[33 CFR Part 117]

[CGD 76-172]

COLUMBIA RIVER, WASH.

Proposed Drawbridge Operation Regulations

At the request of the Washington State Highway Commission, the Coast Guard is considering revising the regulations for the highway vertical lift drawbridges (Interstate 5) across the Columbia River, mile 106.5, to permit the draws to remain closed to the passage of vessels from

6:30 a.m. to 8 a.m., and 3:30 p.m. to 6 p.m., Monday through Friday, except holidays. This change is being considered because of the large volume of vehicular traffic (80,000-100,000 daily).

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Thirteenth Coast Guard District, 915 Second Street, Seattle, Washington 98174. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Thirteenth Coast Guard District.

The Commander, Thirteenth Coast Guard District, will forward any comments received before October 5, 1976, with his recommendations to the Chief, Office of Marine Environment and Systems, U.S. Coast Guard Headquarters, Washington, D.C., who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by adding a new § 117.758a immediately after § 117.758 to read as follows:

§ 117.758a Columbia River, Vancouver, Wash.

(a) The draws of the highway vertical lift drawbridges (Interstate 5) need not open for the passage of vessels from 6:30 a.m. to 8 a.m., and 3:30 p.m. to 6 p.m., Monday through Friday, except holidays.

(b) The draws need not open at any time for the passage of recreation vessels that may pass under the several fixed navigation spans which provide a higher vertical clearance than the draw span.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655 (g) (2); 49 CFR 1.46(c) (5), 33 CFR 1.05-1 (c) (4))

Dated: August 26, 1976.

A. F. FUGARO,
Rear Admiral, U.S. Coast
Guard, Chief, Office of Marine
Environment and Systems.

[FR Doc.76-25723 Filed 9-1-76;8:45 am]

[33 CFR Part 117]

[CGD76 176]

CURTIS CREEK, MD.

Proposed Drawbridge Operation
Regulations

At the request of Maryland Transportation Authority, the Coast Guard is considering providing regulations for the I-695 drawbridge across Curtis Creek, Baltimore, Maryland, which would provide that the draws shall open on signal if at least one hour notice is given. This bridge is presently scheduled to be completed in the spring of 1977. The two

principle users of Curtis Creek who would be affected by this regulation have verbally concurred with this proposal.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Fifth Coast Guard District, Federal Building, 431 Crawford Street, Portsmouth, Virginia 23705. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Fifth Coast Guard District.

The Commander, Fifth Coast Guard District, will forward any comments received before October 5, 1976, with his recommendations to the Chief, Office of Marine Environmental and Systems, U.S. Coast Guard Headquarters, Washington, D.C., who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by adding a new § 117.245(f) (6) to read as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

(f) * * *
(6) Curtis Creek, Md.; I-695 drawbridge. The draws shall open on signal if at least one hour notice is given to the Maryland Transportation Authority.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655 (g) (2); 49 CFR 1.46(c) (5), 33 CFR 1.05-1 (c) (4))

Dated: August 26, 1976.

A. F. FUGARO,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Marine Environment and Systems.

[FR Doc.76-25725 Filed 9-1-76;8:45 am]

[33 CFR Part 117]

[CGD 76-140]

MOKELUMNE RIVER, CALIF.

Proposed Drawbridge Operation
Regulations

At the request of the County of San Joaquin, the Coast Guard is considering revising the regulations for the Millers Ferry Bridge across the North Fork of the Mokelumne River near Walnut Grove to extend the opening periods from May 15 through September 15, to May 1 through October 31, because of an in-

crease in recreational boating activity during these periods.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Twelfth Coast Guard District, 630 Sansome Street, San Francisco, California 94126. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Twelfth Coast Guard District.

The Commander, Twelfth Coast Guard District, will forward any comments received before October 5, 1976, with his recommendations to the Chief, Office of Marine Environment and Systems, U.S. Coast Guard Headquarters, Washington, D.C., who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by revising § 117.714(f) (2) (i) to read as follows:

§ 117.714 San Joaquin River and its tributaries, CA.

(f) * * *
(2) * * *

(i) From May 1 through October 31, from 9 a.m. to 5 p.m., the draw shall open on signal.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655 (g) (2); 49 CFR 1.46(c) (5), 33 CFR 1.05-1 (c) (4))

Dated: August 26, 1976.

A. F. FUGARO,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Marine Environment and Systems.

[FR Doc.76-25724 Filed 9-1-76;8:45 am]

[46 CFR Part 30]

[CGD 76-081]

FOREIGN FLAG TANK VESSELS

Shipping Papers

The Coast Guard is considering amending Part 30 of the tank vessel regulations to require all foreign flag tank vessels when loaded to have shipping papers on board while in United States waters.

Interested persons are invited to participate in this proposed rule making by submitting written data, views, or arguments to the Commandant (G-CMC/81), U.S. Coast Guard, Washington, D.C. 20590. Each person submitting a comment should include his name and address, identify the notice (CGD 76-081), and give reasons in support of his comment. Comments received before Octo-

PROPOSED RULES

ber 18, 1976, will be considered before final action is taken on this proposal. Copies of all written comments received will be available for examination by interested persons in Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street SW, Washington, D.C. The proposal may be changed in light of the comments received.

No hearing is contemplated but one may be held at a time and place set in a later notice in the FEDERAL REGISTER if requested by an interested person desiring an opportunity to comment orally at a public hearing and raising a genuine issue.

Section 35.01-10 of Part 35 requires each loaded tank vessel to have on board a bill of lading, manifest, or shipping document that provides the name of the consignee and the location of the delivery point, the kind, grades, and approximate quantity of each kind and grade of cargo, and for whose account the cargo is being handled. However, certain foreign flag tank vessels are presently exempt from this requirement as explained in the applicability § 30.01-5 of Part 30.

A formal investigation into the explosion and fire on board the tank barge ATC 3060, O.N. 512289, which occurred on March 17, 1975, revealed that proper identification of the grade of cargo transferred to the barge from the SS AMOCO YORKTOWN (of Liberian registry) could have alerted the repair crew aboard the barge to the inherent dangers associated with carriage of the cargo. Information concerning the grade of cargo being transferred could have been obtained from the shipping papers. Consequently, the Coast Guard is proposing to amend § 30.01-5(e) to make the requirements in § 35.01-10 concerning shipping papers applicable to all foreign flag tank vessels.

In consideration of the foregoing, it is proposed to amend Part 30 of Title 46, Code of Federal Regulations, by revising § 30.01-5(e) to read as follows:

§ 30.01-5 Application of Regulations—
TB/ALL.

(e) This Subchapter shall be applicable to all foreign flag vessels carrying combustible or flammable liquid cargo in bulk while in the navigable waters over which the United States has jurisdiction, except that:

(1) A vessel of a foreign nation signatory to the International Convention for Safety of Life at Sea, 1960, which has on board a current valid Safety Equipment Certificate, or a vessel of a foreign nation having inspection laws approximating those of the United States, together with reciprocal inspection arrangements with the United States and which has on board a current valid certificate of inspection issued by its government under such arrangements, in either case, shall be subject only to the requirements of § 35.01-1 and § 35.01-10 and the safety and cargo handling requirements in Subparts 35.30 and 35.35 of this Subchapter * * *.

(46 U.S.C. 391(a); 49 U.S.C. 1855(b); 49 CFR 1.49)

Dated: August 25, 1976.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Merchant Marine
Safety.

[FR Doc.76-25722 Filed 9-1-76; 8:45 am]

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 76-WE-24]

LOS BANOS, CALIF.

Alteration of Transition Area

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Los Banos, California Transition Area.

A new instrument approach procedure has been developed for Los Banos Airport, Los Banos, California. This new procedure is based on the Los Banos VORTAC 348°T (332°M) radial. Volta Intersection is the initial approach fix and Fever INT (LSN 332/26 DME) is the final approach fix. The portion of 700 foot transition area is required to provide controlled airspace protection for aircraft executing the instrument procedure.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace and Procedures Branch, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261. All communications received on or before October 4, 1976, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public document will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261.

In consideration of the foregoing, the FAA proposes the following airspace action.

In § 71.181 (41 FR 440) the description of the Los Banos, California Transition Area is amended to read as follows:

LOS BANOS, CALIFORNIA

That airspace extending upwards from 700 feet above the surface within a 3-mile radius of Los Banos Municipal Airport (latitude 37°03'43" N, longitude 120°52'05" W.) and within 3 miles each side of the 348° radial extending from the 3 mile radius area to 6 miles south and 6 miles north of the airport.

(Sec. 307(a) Federal Aviation Act of 1958, as amended, (49 U.S.C. 1348(a)), sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Los Angeles, California on August 24, 1976.

LYNN L. HINK,
Acting Director, Western Region.

[FR Doc.76-25674 Filed 9-1-76; 8:45 am]

CONSUMER PRODUCT SAFETY
COMMISSION

[16 CFR Part 1028]

PROTECTION OF HUMAN SUBJECTS

Proposed Procedures and Requirements

The purpose of this notice is to propose regulations (16 CFR Part 1028) prescribing procedures and requirements for protection of human subjects applicable to all Commission contracts or grants or other agreements supporting research, standards or regulations development, or related activities in which human subjects are involved.

Section 1028.3 of the proposed regulations requires the organizational committee to determine whether subjects are at risk. Section 1028.6(b) prescribes requirements relating to the composition and functioning of such organizational committee. Section 1028.9 prohibits the use of exculpatory language under which a subject would be made to waive or appear to waive any legal rights. Section 1028.11 requires organizations to carry out reviews and approval of proposals involving human subjects prior to submission to the Consumer Product Safety Commission.

Having considered the procedures and requirements, and other relevant material, the Commission concludes that the regulations should be proposed as set forth below for public comment.

Accordingly, pursuant to provisions of the Consumer Product Safety Act (15 U.S.C. 2051-81), the Federal Hazardous Substances Act (15 U.S.C. 1261-74), the Flammable Fabrics Act (15 U.S.C. 1191-1204), the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471-76), and the Refrigerator Safety Act (15 U.S.C. 1211-14), the Commission proposes to add a new Part 1028 to Title 16, Chapter II, Subchapter A, as follows:

PART 1028—PROTECTION OF HUMAN
SUBJECTS

- Sec.
- 1028.1 Applicability.
 - 1028.2 Definitions.
 - 1028.3 Policy.
 - 1028.4 Submission of assurances.
 - 1028.5 Types of assurances.
 - 1028.6 Minimum requirements for general assurances.
 - 1028.7 Minimum requirements for special assurances.
 - 1028.8 Evaluation and disposition of assurances.
 - 1028.9 Obligation to obtain informed consent; prohibition of exculpatory clauses.
 - 1028.10 Documentation of informed consent.
 - 1028.11 Certification; general assurances.
 - 1028.12 Certification; special assurances.
 - 1028.13 Proposals lacking definite plans for involvement of human subjects.

- Sec.
1028.14 Proposals submitted with the intent of not involving human subjects.
1028.15 Evaluation and disposition of proposals.
1028.16 Cooperative activities.
1028.17 Organization's executive responsibility.
1028.18 Organization's records.
1028.19 Reports.
1028.20 Early termination of awards; sanctions for noncompliance.
1028.21 Conditions.

AUTHORITY: Consumer Product Safety Act (15 U.S.C. 2051-81), the Federal Hazardous Substances Act (15 U.S.C. 1261-74), the Flammable Fabrics Act (15 U.S.C. 1191-1204), the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471-76), and the Refrigerator Safety Act (15 U.S.C. 1211-14).

§ 1028.1 Applicability.

(a) The requirements of this Part 1028 are applicable to all Consumer Product Safety Commission contracts or grants or other agreements supporting research or standards or regulations or related activities in which human subjects are involved.

(b) The Commission may on occasion by publication in the FEDERAL REGISTER, or by other appropriate means, designate activities, including specific programs, methods, or procedures, that necessarily fall within the scope of this Part 1028 or to which this Part 1028 is inapplicable.

(c) The requirements of this Part 1028 do not apply to opinion surveys, questionnaires, or to solicitation of information about past events.

§ 1028.2 Definitions.

(a) "Organization" means any public or private institution or agency, including Federal, State, and local government agencies.

(b) "Cooperative activity" means any activity which involves organizations in addition to the grantee, prime contractor under the Consumer Product Safety Act.

(c) "Subject at risk" means any individual who may be exposed to the possibility of injury, including physical or psychological injury, as a consequence of participation as a subject in any research, development or related activity.

(d) "Informed consent" means the knowing consent of an individual, or a legally authorized representative, able to exercise free power of choice without undue inducement or any element of force, fraud, deceit, duress, or other form of constraint or coercion. The basic elements of information necessary for such consent include:

(1) A fair explanation (including the purpose) of the procedures to be followed, with identification of any experimental procedures.

(2) A description of any attendant discomforts and risks reasonably to be expected.

(3) A description of any benefits reasonably to be expected.

(4) Disclosure of any appropriate alternative procedures that might be advantageous for the subject.

(5) An offer to answer any inquiries concerning the procedures.

(6) Instruction that the person is free at any time to withdraw his or her consent and discontinue participation in the project or activity without prejudice to the subject at risk.

(e) "Commission" means the Consumer Product Safety Commission and any officer or employee of the Consumer Product Safety Commission to whom authority has been delegated.

(f) "Approved assurance" means a document that fulfills the requirements of this Part 1028 and is approved by the Commission.

(g) "Certification" means the official organizational notification to the Commission in accordance with the requirements of this Part 1028 that a project or activity involving human subjects at risk has been reviewed and approved by the organization in accordance with the "approved assurance" on file at the Commission.

(h) "Legally authorized representative" means an individual authorized under applicable law to give consent on behalf of a prospective subject's participation in the particular activity or procedure.

(i) "Committee" means the committee of the organization established in compliance with § 1028.6(b)(2) of this Part 1028.

§ 1028.3 Policy.

(a) Safeguarding the rights and welfare of subjects at risk in activities supported by the Commission is primarily the responsibility of the organization that has received funds from or that is accountable to the Commission for the support of its activity. To provide for the adequate discharge of such responsibility by the organization, the Commission's policy is that no activity involving human subjects to be supported by the Commission shall be undertaken unless a committee of the organization has reviewed and approved such activity and the organization has submitted to the Commission a certification of such review and approval in accordance with the requirements of this Part 1028.

(b) The committee's review shall determine whether the human subjects will be placed at risk and, if risk is involved, whether:

(1) The risks to the subjects are so outweighed by the sum of the benefit to the subjects and the importance of the knowledge to be gained as to warrant a decision to allow the subjects to accept these risks.

(2) The rights and welfare of the subjects will be adequately protected.

(3) Legally effective informed consent will be obtained by adequate and appropriate methods in accordance with the provisions of this Part 1028.

(4) The conduct of the activity will be reviewed at timely intervals.

(5) A qualified psychologist, doctor of medicine, or other appropriate professional, having established emergency medical procedures, will oversee each test.

(c) No grant or contract or other agreement involving human subjects at

risk shall be made to an individual unless he or she is affiliated with or sponsored by an organization that can and does assume responsibility for the subjects at risk involved.

§ 1028.4 Submission of assurances.

(a) Recipients or prospective recipients of Commission support under a grant or contract or other agreement involving subjects at risk shall provide written assurance complying with the requirements of this Part 1028. Each assurance shall embody:

(1) A statement of compliance with Commission requirements for initial and continuing guidelines, including identification of the committee and a description of its review procedures; or

(2) In the case of special assurances concerned with single activities or projects, a report of initial findings of the committee and of its proposed continuing procedures.

(b) Such assurance shall be executed by an individual authorized to act for the organization and to assume on behalf of the organization the obligations imposed by this Part 1028.

§ 1028.5 Types of assurances.

(a) *General assurances.* A general assurance describes the review and implementation procedures applicable to all Commission-supported activities conducted by an organization, regardless of the number, location, or types of its components or field activities. General assurances will be required from organizations having two or more concurrent Commission-supported projects or activities involving human subjects, Section 1028.6 prescribes the minimum requirements for general assurances.

(b) *Special assurances.* A special assurance describes the review and implementation procedures applicable to a single activity or project. A special assurance will be required from an organization although it has an approved general assurance on file. Section 1028.7 prescribes the minimum requirements for special assurances.

(c) *NIH assurance.* If an organization has a general assurance on file with the National Institutes of Health (NIH), Department of Health, Education, and Welfare, it need only notify the Commission of this fact and submit a copy of the general NIH-approved assurance to the Commission.

§ 1028.6 Minimum requirements for general assurances.

(a) General assurances shall be submitted in the form and manner as the Commission may require in "The Institutional Guide to CPSC's Policy on Protection of Human Subjects," which can be obtained, upon request, from the Commission.

(b) As part of its general assurance, the organization must include implementing guidelines that specifically provide for:

(1) A statement of principles that will govern the organization in the discharge of its responsibilities for protecting the rights and welfare of subjects. This may

include appropriate existing codes or declarations, or statements formulated by the organization itself. It is to be understood that no such principles supersede Commission policy or applicable law.

(2) A committee that will conduct initial and continuing reviews in accordance with the policy outlined in § 1028.3. Such committee or committee structure shall meet the following requirements:

(i) The committee must be composed of not less than five persons with varying backgrounds to assure complete and adequate review of activities commonly conducted by the organization. The committee must be sufficiently qualified through the maturity, experience, and expertise of its members and diversity of its membership to insure respect for its advice and counsel for safeguarding the rights and welfare of human subjects. In addition to possessing the professional competence necessary to review specific activities, the committee must be able to ascertain the acceptability of proposals in terms of organizational commitments and regulations, applicable law, standards of professional conduct and practice, and community attitudes. The committee must therefore include persons whose concerns are in these areas.

(ii) The committee members shall be identified to the Commission, by name, earned degree (if any), position or occupation and representative capacity, and by other pertinent indications of experience such as board certification, licenses, etc., sufficient to describe each member's chief anticipated contributions to committee deliberations. Any employment or other relationship between each committee member and the organization shall be identified; for example, full-time employee, part-time employee, member of governing panel or board, paid consultant, or unpaid consultant. Changes in committee membership shall be reported to the Commission in such form and at such times as the Commission may require.

(iii) No committee member shall be involved in either the initial or continuing review of an activity in which he or she has a conflicting interest, except to provide information requested by the committee.

(iv) The committee shall not consist entirely of persons who are officers, employees, or agents of, or who are otherwise associated with, the organization (apart from their membership on the committee).

(v) The committee shall not consist entirely of members of a single professional group.

(vi) The committee's quorum shall be defined and shall not be less than a majority of the members convened to carry out the committee's responsibilities under the terms of the assurance.

(3) The procedures the organization will follow in its initial and continuing review of proposals and activities.

(4) The procedures the committee will follow (i) to provide advice and counsel to activity directors and investigators

with regard to the committee's actions and (ii) to insure prompt reporting to the committee of proposed changes in an activity and of unanticipated problems involving risk to subjects or others.

(5) The procedures the organization will follow to maintain an active and effective committee and to implement the committee's recommendations.

(6) A statement as to how often the committee will meet to provide for continuing review. Such review must occur at least annually.

§ 1028.7 Minimum requirements for special assurances.

(a) Special assurances shall be submitted in the form and manner prescribed by paragraph (b) of this section.

(b) An acceptable special assurance shall: (1) Identify the specific grant, contract, or developmental standard or regulation involved by its number (if known), its full title, and the name of the activity or project director, principal investigator, fellow, or other person immediately responsible for the conduct of the activity. The assurance shall be signed by the individual members of a committee that complies with the requirements of § 1028.6(b)(2) and shall be endorsed by an appropriate organization official.

(2) Describe the makeup of the committee and the training, experience, and background of its members in accordance with § 1028.6(b)(2)(ii).

(3) (i) Describe in general terms the risks to the subject that the committee recognizes as inherent in the activity and (ii) justify the committee's decision that these risks are so outweighed by the sum of the benefit to the subject and the importance of the knowledge to be gained as to warrant the committee's decision to permit the subject to accept these risks.

(4) Describe the informed-consent procedures to be used and attached documentation required by § 1028.10.

(5) Describe the procedures the committee will follow (i) to insure prompt reporting to the committee of any proposed changes in the activity and of any unanticipated problems involving risks to subjects or others and (ii) to insure that any such problems are promptly reported to the Commission.

§ 1028.8 Evaluation and disposition of assurances.

(a) All assurances submitted in accordance with §§ 1028.6 and 1028.7 shall be evaluated by the Commission through its officers and employees and such experts or consultants as it determines to be appropriate. The Commission's evaluation shall take into consideration, among other pertinent factors, the adequacy of the proposed committee in the light of the anticipated scope of the applicant organization's activities and of the types of subject populations likely to be involved, the appropriateness of the proposed initial and continuing review procedures in the light of the probable risks, and the size and complexity of the organization.

(b) On the basis of the evaluation of an assurance pursuant to paragraph (a) of this section, the Commission shall either approve the assurance, enter into negotiations to develop a more satisfactory assurance, or disapprove the assurance. The Commission may determine the period during which any particular approved assurance or class of assurances shall remain effective and/or may otherwise condition or restrict the approval. Pending completion of negotiations for a general assurance, the Commission may require an organization otherwise eligible for such an assurance to submit special assurances.

§ 1028.9 Obligation to obtain informed consent; prohibition of exculpatory clauses.

Any organization proposing to place any subject at risk is obligated to obtain and document legally effective informed consent. No such informed consent, oral or written, obtained under an assurance provided pursuant to this Part 1028 shall include any exculpatory language through which the subject is made to waive, or to appear to waive, any legal rights, including any release of the organization or its agents from liability for negligence.

§ 1028.10 Documentation of informed consent.

(a) The actual procedure utilized in obtaining legally effective informed consent and the basis for committee determinations that the procedures are adequate and appropriate shall be fully documented.

(b) The documentation of consent shall employ one of the following three forms:

(1) A written consent document embodying the basic elements of informed consent. This may be read to the subject or to a legally authorized representative, but in any event the subject or a legally authorized representative must be given adequate opportunity to read it. This document is to be signed by the subject or a legally authorized representative. Sample copies of the consent form as approved by the committee are to be retained in its records following signing of the written consent document.

(2) A "short form" written consent document indicating that the basic elements of informed consent have been presented orally to the subject or a legally authorized representative. Written summaries of what is to be said to the participant shall be approved by the committee. The short form is to be signed by the subject or a legally authorized representative and by an auditor witness to the oral presentation and to the subject's or representative's signature. A copy of the approved summary, annotated to show any additions, is to be signed by the persons officially obtaining the consent and by the auditor witness. Sample copies of the consent form and of the summary as approved by the committee are to be retained in the committee's records after signing of the short form written consent document.

(3) Modification of either of the primary procedures outlined in paragraph (b)(1) and (2) of this section. Granting permission to use modified procedures imposes additional responsibility upon the review committee and the organization to establish: (1) That the risk to any subject is minimal and (2) that use of either of the primary procedures for obtaining informed consent would securely invalidate objectives of considerable immediate importance. The committee's reason for permitting the use of modified procedures must be individually and specifically documented in the committee's minutes and in reports of committee actions submitted to the files of the organization. All such modifications should be regularly reconsidered as a function of continuing review and as required for annual review, with documentation of reaffirmation, revision, or discontinuation, as appropriate.

§ 1028.11 Certification; general assurances.

(a) *Timely review.* Unless the Commission provides otherwise, all proposals involving human subjects submitted by organizations having approved general assurances must be reviewed and, when found to involve subjects at risk, approved prior to submission to the Commission. If the Commission provides for the performance or organizational review of a proposal after its submission to the Commission, processing of such proposal by the Commission shall under no circumstances be completed until such organizational review and approval has been certified. Unless the organization determines that human subjects are not involved, the proposal should be appropriately certified in the spaces provided on forms or one of the following certifications, as appropriate, should be typed on the lower right-hand margin of the page bearing the name of an official authorized to sign or execute applications or proposals for the organization:

Human Subjects: Reviewed, not at risk,

(Date)

Human Subjects: Reviewed, at risk, approved

(Date)

(Signature)

(b) *Proposals not certified.* Proposals not properly certified, or submitted as not involving human subjects and found by the operating agency to involve human subjects, will be returned to the organization concerned.

§ 1028.12 Certification; special assurances.

(a) Although an applicant organization has on file with the Commission an approved general assurance, it must submit for each application or proposal involving human subjects a separate special assurance and certification of its review and approval.

(b) Such assurance and certification must be submitted within such time limit as the Commission may specify. An assurance and certification prepared in ac-

cordance with this Part 1028 and approved by the Commission shall be considered to have met the requirement for certification for the initial period concerned. If the terms of the grant, contract, or developmental standard or regulation recommend additional support periods, certification shall be provided by the organization with applications for continuation or renewal of support in the manner prescribed in § 1028.11(a).

§ 1028.13 Proposals lacking definite plans for involvement of human subjects.

Certain types of proposals are submitted to the organizational committee, which is responsible for certification of the assurance, with the knowledge that subjects probably will be involved within the project period but without definite plans for this involvement being included in the proposal. These include such activities as research, pilot, or developmental activities in which involvement depends upon such things as the completion of prior studies. Such proposals shall be reviewed and certified in the same manner as more definitive proposals. The initial certification indicates organizational approval of the applications as submitted and commits the organization to later review of the plans when completed. Such later review and certification to the Commission should be completed prior to the beginning of the budget period during which actual involvement of human subjects is to begin. Review and certification to the Commission must in any event be completed prior to involvement of human subjects.

§ 1028.14 Proposals submitted with the intent of not involving human subjects.

If a proposal's intent is not to involve human subjects, certification should not be included with the initial submission of the proposal to the organizational committee that is responsible for certification of the assurance. If in such a case, it later becomes appropriate to involve human subjects, the activity shall be reviewed and approved in accordance with the assurance of the organization prior to the involvement of subjects. In addition, no such activity shall be undertaken until the organization has submitted to the Commission (a) a certification that the activity has been reviewed and approved in accordance with this Part 1028 and (b) a detailed description of the proposed activity (including any protocol or similar document). Also, where Commission support is provided to project grants, contracts, or developmental standards or regulations, subjects shall not be involved prior to certification and organizational receipt of the Commission's approval and, in the case of contracts, prior to negotiation and approval of an amended contract description of work.

§ 1028.15 Evaluation and disposition of proposals.

(a) *Evaluation.* Notwithstanding any prior review, approval, and certification by the organization, all grants, contract proposals, and developmental standards

or regulations involving human subjects at risk submitted to the Commission shall be evaluated by the Commission for compliance with this Part 1028 through its officers and employees and such experts or consultants as the Commission deems appropriate. This evaluation may take into account, among other pertinent factors, the apparent risks to the subjects, the adequacy of protection against the risks, the potential benefits of the activity to the subjects and others, and the importance of the knowledge to be gained.

(b) *Disposition.* On the basis of the evaluation of an application pursuant to paragraph (a) of this section and subject to such approval or recommendation by, or consultation with, appropriate councils, committees, or other bodies as may be required by law, the Commission shall either approve, defer for further evaluation, or disapprove support of the proposed activity in whole or in part. With respect to any approved grant, contract, or developmental standard or regulation, the Commission may impose conditions (such as restrictions on the use of certain procedures or subject groups, or requiring use of specified safeguards or informed consent procedures) when in its judgment such conditions are necessary for the protection of human subjects.

§ 1028.16 Cooperative activities.

(a) *Responsibility.* If in cooperative activities the grantee, prime contractor, or offeror under the Consumer Product Safety Act obtains access to some or all of the subjects involved through one or more cooperating organizations, the basic Commission policy applies and the grantee, prime contractor, or offeror remains responsible for safeguarding the rights and welfare of the subjects.

(b) *Organization with approved general assurance.* Initial and continuing review by the organization with approved general assurance may be carried out by one or a combination of procedures:

(1) *Cooperating organization with approved general assurance.* If the cooperating organization has on file with the Commission an approved general assurance, the grantee, prime contractor, or offeror may carry out its own review or may request the cooperating organization to conduct its own review and report to the committee of the grantee, prime contractor, or offeror the cooperating organization's committee recommendations on those aspects of the activity that concern individuals for whom the cooperating organization has responsibility in accordance with its own assurance. At its discretion, the grantee, prime contractor, or offeror may concur with or further restrict the recommendations of the cooperating organization. It is the responsibility of the grantee, prime contractor, or offeror to maintain communication with the committees of the cooperating organization. The cooperating organization, however, shall promptly notify the grantee, prime contractor, or offeror whenever the cooperating organization finds the conduct of

the project or activity within its purview to be unsatisfactory.

(2) *Cooperating organization with no approved general assurance.* If the cooperating organization does not have an approved general assurance on file with the Commission, a general or special assurance to the Commission may be negotiated that, if approved, will permit the grantee, prime contractor, or offeror to follow the procedure outlined in paragraph (b) (1) of this section.

(3) *Interorganizational joint review.* The grantee, prime contractor, or offeror may wish to develop an agreement with cooperating organizations. Representatives of cooperating organizations may be appointed as ad hoc members of the existing review committee of the grantee, prime contractor, or offeror; appointments for extended periods may be made if cooperation is on a frequent or continuing basis, such as between a medical school and a group of affiliated hospitals. All such cooperative arrangements must be approved by the Commission as part of a general assurance or as an amendment to a general assurance.

(c) *Organization with approved special assurance—(1) Responsibility.* While responsibility for initial and continuing review necessarily lies with the grantee, prime contractor, or offeror with approved special assurance, the Commission will also require approved assurances from those cooperating organizations having immediate responsibility for subjects.

(2) *Cooperating organization with approved special assurance.* If the cooperating organization has on file with the Commission an approved special assurance, the grantee, prime contractor, or offeror shall request the cooperating organization to conduct its own review of those aspects of the project or activity that will involve human subjects for which it has responsibility. The request shall be in writing and should provide for direct notification of the committee of the grantee, prime contractor, or offeror in the event that the cooperating organization finds the conduct of the activity to be unsatisfactory.

(3) *Cooperating organization with no approved special assurance.* If the cooperating organization does not have an approved special assurance on file with the Commission, it must submit to the Commission a general or special assurance that will be determined by the Commission to comply with the provisions of this Part 1028.

§ 1028.17 Organization's executive responsibility.

Specific executive functions to be conducted by the organization include policy development, policy promulgation, and continuing indoctrination of personnel. Appropriate administrative assistance and support shall be provided for the committee's functions. Implementation of the committee's recommendations through appropriate administrative action and follow-up is a condition of Commission approval of an assurance. Committee approvals, favorable actions, and

recommendations are subject to review and disapproval or further restriction by the organization. Committee disapprovals; restrictions, or conditions cannot be rescinded or removed except by action of a committee described in the assurance approved by the Commission.

§ 1028.18 Organization's records.

Copies of all documents presented or required for initial and continuing review by the organization's review committee (such as committee minutes, records of subjects' consent, transmittals on actions, instructions, and reports of conditions resulting from committee deliberations addressed to the activity director) are to be retained by the organization, subject to the terms and conditions of grant, contract, and development awards.

§ 1028.19 Reports.

Each organization with an approved assurance shall provide the Commission with such reports and other information as the Commission may require.

§ 1028.20 Early termination of awards; sanctions for noncompliance.

(a) If in the judgment of the Commission, an organization has failed to comply with the terms of this Part 1028 with respect to a particular Commission grant, contract, or developmental standard or regulation, the Commission may require that said grant, contract, or standard or regulation be terminated or suspended in the manner prescribed in applicable grant or procurement regulations.

(b) If in the judgment of the Commission, an organization has failed materially to discharge its responsibility for the protection of the rights and welfare of subjects in its care, the Commission may, upon reasonable notice to the organization of the basis for its judgment and after providing the organization with an opportunity for an informal conference, terminate the organization's eligibility to receive further Commission support, subject to the provisions of this Part 1028. Such ineligibility shall continue until it is shown to the Commission's satisfaction that the reasons therefor no longer exist.

(c) If in the judgment of the Commission, an individual, who is serving in the capacity of principal investigator, program director, or other position having responsibility for the scientific and technical direction of an activity, has failed materially to discharge his or her responsibilities for the protection of the rights and welfare of human subjects in his or her care, the Commission may, upon reasonable notice to the individual and to any organization whose grant, contract, or developmental standard or regulation may be involved, and after providing the individual and the organization with an opportunity for an informal conference, terminate the individual's eligibility to serve in such capacity with respect to any activity subject to the provisions of this Part 1028. Such ineligibility shall continue until it is shown to the Commission's satisfaction that the reasons therefor no longer exist.

§ 1028.21 Conditions.

The Commission may with respect to any grant, contract, or developmental standard impose additional conditions prior to or at the time of any award when in its judgment such conditions are necessary for the protection of human subjects.

Interested persons are invited to submit, on or before November 1, 1976, written comments regarding this proposal. Comments and any accompanying data or material should be submitted, preferably in five copies, addressed to the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the Office of the Secretary, 10th floor, 1750 K Street NW., Washington, D.C., during working hours Monday through Friday.

Dated: August 27, 1976.

SADYE E. DUNN,
Secretary, Consumer Product
Safety Commission.

[FR Doc. 76-25695 Filed 9-1-76; 8:45 am]

[16 CFR Part 1704]

POISON PREVENTION PACKAGING ACT REGULATIONS

Applications for Exemption From Preemption; Proposed and Interim Rules

In this notice the Consumer Product Safety Commission proposes rules to provide procedures that States and local governments are to follow in submitting applications for exemption from preemption under the amendments to section 8 of the Poison Prevention Packaging Act of 1970 (PPPA) (15 U.S.C. 1476(c)) in section 17(c) of the Consumer Product Safety Commission Improvements Act of 1976 (Pub. L. 94-284). The rules proposed here will serve as interim rules pending completion of rule-making. It is anticipated that interim rules for applications for exemption from preemption under the amendments to the Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) and Consumer Product Safety Act (15 U.S.C. 2051 et seq.) will be proposed by the Commission in the near future. In the FEDERAL REGISTER of July 29, 1976 (41 FR 31569) the Commission issued proposed and interim rules for applications for exemption from preemption under the Flammable Fabrics Act (15 U.S.C. 1191 et seq.) These acts were also amended by section 17 of the Consumer Product Safety Commission Improvements Act of 1976.

BACKGROUND

Section 8 of the PPPA provides that whenever a PPPA standard applicable to a household substance is in effect, no State or political subdivision of a State may either establish or continue in effect for that household substance any special packaging standard (and any exemption therefrom and requirement related thereto) which is not identical to the Federal standard established under

section 3 of the PPPA (and any exemption therefrom and requirement related thereto).

Section 17(c) of the Consumer Product Safety Commission Improvements Act, Pub. L. 94-284, which became effective on May 11, 1976, amended section 8 of the PPPA to provide two exemptions that will allow the State or local government to establish or continue in effect special packaging standards or related requirements for household substances which would otherwise be preempted.

The first exception permits a State or local government to have a different special packaging standard or related requirement for a household substance for use by the State or political subdivision, if the State or local government standard or requirement provides a higher degree of protection from the risk of illness or injury that is covered by the Federal standard or requirement in effect under the PPPA.

The second exception permits the Commission, upon application by a State or local government, to grant a State or local government an exemption from the preemption provision if: (1) Compliance with the State or local government standard or requirement would not cause the household substance to be in violation of the Federal standard or requirement in effect under the PPPA, (2) the State or local government standard or requirement provides a significantly higher degree of protection from the risk of injury or illness that is covered by the Federal standard or requirement, and (3) the State or local government standard or requirement would not unduly burden interstate commerce.

Section 17(c) of Pub. L. 94-284 enumerates the findings that the Commission is required to make with respect to the State or local government special packaging standard or related requirement to determine the burden on interstate commerce. An exemption may be granted only after the Commission has provided public notification of the proposed exemption and has afforded interested persons an opportunity to present oral and written comments.

SCOPE OF PROPOSAL

In proposing 16 CFR 1704, below, the Commission proposes rules to implement that part of section 17 of Pub. L. 94-284, which establishes procedures under section 8(c) of the PPPA for the submission and consideration of applications for exemption from preemption.

1. *Policy considerations.* Section 1704.3 of the proposal provides, among other things, that the responsibility for initially determining whether an exemption from preemption should be sought rests with the State or local government affected. The Commission believes that the State or local government will normally be more familiar with its standard or regulation than the Commission and will be better able to assess the need for an exemption.

2. *Ripeness of an application for an exemption.* Section 1704.4 provides that

applications for exemption from the amended preemption provisions in section 8 of the PPPA will be considered only where the applicant demonstrates that its special packaging standard or related requirement has been enacted or issued in final form by an authorized body, and that the standard or requirement would be preempted by section 8 (a) of the PPPA, as amended. If a State or local government seeking to establish or continue in effect a special packaging standard or related requirement desires advice concerning the effect of the preemption provisions of the PPPA on the State or local special packaging standard or related requirement, such State or local government may write to the Commission's General Counsel for an advisory opinion. The General Counsel can advise whether the products covered by the State or local regulation or contemplated regulation are, in fact, subject to Commission regulation and, if so, the coverage of such Commission regulation.

3. *Who may submit an application for an exemption.* Section 1704.5 provides that an application for an exemption from preemption may be submitted by a State or local government.

4. *Form and content of the exemption application.* Sections 1704.6 and 1704.7 provide the form and content of the application for exemption. In order to grant any application for an exemption, the Commission is required to make the statutory findings that: (1) Compliance with the State or local government standard or requirement would not result in violation of the Federal standard or requirement; (2) the State or local government standard or requirement provides a significantly higher degree of protection from the risk of illness or injury that is covered by the Federal standard or requirement; and (3) the State or local government standard or requirement does not unduly burden interstate commerce. The information required by section 1704.7 to be submitted is necessary for the Commission to consider the statutory findings. Unless the State or local government submits the fullest possible information, the Commission may not be able to make the statutory findings required to grant the application for an exemption. Section 1704.7 is not intended to preclude any other information which the applicant deems necessary to state its case. The Commission may also request any additional information needed to reach a decision on an application and may seek additional information itself. In making a decision on an application, the Commission may consider information in addition to the information in the application and any oral or written comments on the application.

5. *Applications with insufficient or incomplete information.* If an application has insufficient or incomplete information, and does not explain the absence of the information, the Commission staff shall return the application to the applicant without prejudice and shall inform the applicant of the deficiencies.

6. *Applications for exemption that contain the required information.* Section 1704.9 provides that following the initial determination that an application is complete and contains sufficient information to be considered, the Commission shall propose the exemption in the FEDERAL REGISTER and provide an opportunity for oral and written presentation of views concerning the proposal.

7. *Grant or denial of an application for exemption.* Section 1704.10 states the conditions under which the Commission shall grant or deny an application. The Commission will grant an application for an exemption only if it is able to find that: (1) Compliance with the State or local special packaging standard or requirement would not cause the household substance to be in violation of the Federal provision in effect under the PPPA, (2) the State or local special packaging standard or requirement provides a significantly higher degree of protection from the risk of injury or illness that is covered by the Federal standard or requirement, and (3) the State or local special packaging standard or requirement would not unduly burden interstate commerce. Section 1704.10 also provides that if the Commission denies an application for an exemption, findings regarding whether there is an effect on interstate commerce need not be made.

CONCLUSION AND PROPOSAL

The Commission concludes that guidance is needed immediately for State and local governments and other interested parties in connection with the preparation and processing of and commenting upon applications for exemption from preemption under section 8 of the PPPA. The new preemption provision has been in effect since May 11, 1976 and continued absence of procedural rules could lead to confusion and unnecessary expenditure of resources by everyone involved. Accordingly, these rules shall become effective immediately upon publication in the FEDERAL REGISTER as interim rules to govern the submission of applications for exemption from preemption.

Because these rules are rules of agency practice and procedure the Administrative Procedure Act requirements for notice of proposed rulemaking, opportunity for public participation and delayed effective date are not applicable. Even if the rules were to be considered general rulemaking, the Commission for good cause finds that such notice and public procedure and a delayed effective date are impracticable and not in the public interest because guidance is needed immediately to avoid confusion or unnecessary expenditure of resources.

However, the Commission believes that the public should be afforded the opportunity to comment upon these interim rules. Accordingly, these rules will be published in the proposed rules section of the FEDERAL REGISTER to facilitate and encourage public comment. The public should be assured that any and all comments received upon these rules will be carefully considered by the Commission.

sion in its decision as to what form the final rules for preemption applications should take. Active and enlightened public comment on rules such as these is the major vehicle by which the Commission is informed of the public's beliefs and desires as to how this agency should discharge its statutory duties.

Accordingly, pursuant to provisions of the Poison Prevention Packaging Act (sec. 8(c), 84 Stat. 1673, as amended 90 Stat. 513-514; 15 U.S.C. 1476(c)) and under authority vested in the Commission by the Consumer Product Safety Act (sec. 30(a), Pub. L. 92-573, 86 Stat. 1231; 15 U.S.C. 2079(a)), the Commission proposes the following new Part 1704 of Title 16, Chapter II, Subchapter E:

PART 1704—APPLICATIONS FOR EXEMPTION FROM PREEMPTION

Sec.	
1704.1	Scope.
1704.2	Definitions.
1704.3	Policy considerations.
1704.4	Consideration of applications for exemption.
1704.5	Who may submit an application for exemption.
1704.6	Form of an application for exemption.
1704.7	Information required to be included in an application for exemption.
1704.8	Applications for exemption that have insufficient or incomplete information.
1704.9	Applications for exemption that contain the required information: Procedures.
1704.10	Granting or denying of an application for exemption.

AUTHORITY: Sec. 8(c), 84 Stat. 1673, as amended 90 Stat. 513-514; 15 U.S.C. 1476(c).

§ 1704.1 Scope.

(a) This Part 1704 prescribes procedures under section 8(c) of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1476(c)), as amended, for the submission and consideration of applications for exemption from preemption by special packaging standards and exemptions and related requirements for a household substance in effect under the Poison Prevention Packaging Act.

(b) Section 8 of the Poison Prevention Packaging Act concerning preemption, was amended by the Consumer Product Safety Commission Improvements Act of 1976 (Pub. L. 94-284, 90 Stat. 513-514), which became effective May 11, 1976. This Part 1704 implements the provisions of amended section 8.

§ 1704.2 Definitions.

For the purposes of this Part 1704:

(a) "Commission" means the Consumer Product Safety Commission.

(b) "Act" means the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471-1476) as amended by the Consumer Product Safety Commission Improvements Act of 1976 (Pub. L. 94-284; 90 Stat. 513-514).

(c) "State or local special packaging standard or related requirement" means a special packaging standard or related requirement that is intended to have the force of law when in effect.

(d) "State" means a State, American Samoa, the Canal Zone, the Commonwealth of Puerto Rico, the District of Columbia, Guam, Johnston Island, Kingman Reef, Midway Island, the Trust Territory of the Pacific Islands, the Virgin Islands, or Wake Island.

(e) "Local government" means any political subdivision of a State having the authority to establish or continue in effect any special packaging standard or related requirement having the force of law, applicable to a household substance.

(f) The definition of terms contained in section 2 of the Poison Prevention Packaging Act (15 U.S.C. 1471), as amended by Pub. L. 94-284, shall be applicable to such terms when used in this Part 1704.

§ 1704.3 Policy considerations.

(a) Section 8(a) of the Act provides that when a Federal special packaging standard (or an exemption therefrom or a requirement related thereto) for a household substance is in effect under the Poison Prevention Packaging Act, a State or local government special packaging standard (or an exemption therefrom or on a requirement related thereto) applicable to the same household substance will be preempted unless the State or local government special packaging standard, exemption, or related requirement is identical to the Federal special packaging standard, exemption, or related requirement.

(b) Section 8(c) of the Act provides that if the State or local government desires to continue or put into effect its own special packaging standard or related requirement that would otherwise be preempted under section 8(a), the State or local government must seek an exemption from the Commission. Section 8(c) of the Act outlines the findings that must be made and procedures that must be followed prior to granting an exemption.

(c) Because States and local governments will normally be more familiar with their standards and requirements than the Commission, and better able to determine the need for an exemption than the Commission, it is the responsibility of States and local governments to determine initially whether an application for an exemption from preemption should be submitted.

(d) In order to facilitate favorable action by the Commission on any application for an exemption, it is essential that a State or local government seeking an exemption provide the Commission with the fullest possible information necessary to make the findings required by section 8(c) of the Act in order to grant the application. The Commission has set forth in § 1704.7 the kinds of information that must, if available, be included in each application for an exemption. If the requested information is not available or applicable, that fact should be noted in the application.

§ 1704.4 Consideration of applications for exemptions by the Commission.

The Commission will consider applications for exemptions from the preemption provisions of section 8(a) of the act only where the State or local government can demonstrate the following:

(a) *The State or local government special packaging standard or related requirement has been enacted or issued in final form by the authorized body.* (1) A State or local government should submit an application for an exemption from preemption only where the State or local special packaging standard or related requirement has been enacted or issued in final form by the authorized body of the State or local government. For purposes of this paragraph (a), a State or local government special packaging standard or other regulation is considered "enacted" or "issued" if the only bar to the establishment or continued effectiveness of the standard or requirement is preemption by section 8(a) of the Act. Those State or local special packaging standards or related requirements in effect prior to May 11, 1976, the effective date of Pub. L. 94-284, will be considered to be "enacted or issued in final form" unless subsequently repealed or otherwise set aside.

(2) If a State or local government is seeking to establish or continue in effect a special packaging standard or related requirement and desires advice whether such standard or related requirement would be affected by the preemption provisions of the Poison Prevention Packaging Act, such government body may contact the Commission's General Counsel and request an advisory opinion. The General Counsel will advise the requesting party whether the household substance covered by the State or local government provision is the subject of a special packaging standard, exemption, or related requirement in effect under the PPPA and, if so, the coverage of such standard, exemption, or related requirement.

(b) *The State or local government special packaging standard or related requirement would be preempted by section 8(a) of the Act.* An application for an exemption from preemption will be considered by the Commission only where the State or local government demonstrates that its special packaging standard or related requirement, intended to have the force of law when in effect, would be preempted by section 8(a) of the Act. If there is no Federal special packaging standard, exemption, or related requirement in effect that is applicable to the household substance covered by the State or local standard or requirement, or if the State or local government provision is designed to protect against a different risk of illness or injury than that addressed by the Federal provision in effect under the PPPA, the State or local government provision would not be preempted by section 8(a) of the Act. The State or local government standard or related requirement would also not be

preempted by section 8(a) if the State or local government provision is identical to the Federal provision in effect under the PPPA.

§ 1704.5 Who may submit an application for exemption.

An application for an exemption from preemption may be submitted by a State or local government where such State or local government has the authority to establish or continue in effect, and is seeking to implement and enforce the special packaging standard, or related requirement that would be preempted by section 8(a) of the Act.

§ 1704.6 Form of an application for exemption.

An application for exemption shall:

(a) Be written in the English language.

(b) Clearly indicate that it is an application for an exemption from the preemption provisions of section 8(a) of the Act.

(c) Identify the Federal special packaging standard, exemption, or related requirement that preempts the State or local government special packaging standard or related requirement.

(d) Identify the State or local government special packaging standard or related requirement that is the subject of the application and state the date it was enacted or issued in final form.

(e) Contain the name and address of the person or branch, department, agency, or other body of the State or local government that should be notified of any Commission action concerning the application.

(f) Be signed by an individual authorized to request the exemption on behalf of the State or local government.

(g) Be submitted (preferably in 5 copies) to the Secretary, U.S. Consumer Product Safety Commission, Washington, D.C. 20207.

(h) Contain the information described in § 1704.7 to the fullest extent possible, or contain a full explanation why such information has not been included.

§ 1704.7 Information, data, or material required to be included in an application for exemption.

An application for an exemption from preemption shall contain the following information to the fullest extent possible. If any of the information is not included, the application must fully explain why the information has not been supplied.

(a) A copy of the State or local government special packaging standard or related requirement that is the subject of the application. Where available, the application shall also include copies of any legislative history or background materials used in issuing the standard or requirement, including hearing reports, or studies concerning the development or consideration of the standard or requirement.

(b) A statement of the products and product groups covered by the State or local government standard or require-

ment, as well as unit product sales volume covered by the regulation.

(c) A description of the type packaging (e.g. glass or plastic bottles, cartons, unit packaging, etc.) currently used on those products covered by the State or local government standard or requirement.

(d) An explanation why compliance with the State or local government standard or requirement would not cause the household substance to be in violation of the Federal special packaging standard or requirement in effect under the Act.

(e) Information, data, or material indicating whether the State or local government standard or requirement provides a significantly higher degree of protection from the risk of illness or injury covered by the Federal special packaging standard or requirement. The application for an exemption shall include the following information, where available:

(1) A description of the risk of injury or illness addressed by the State or local government standard or requirement.

(2) A detailed explanation of the State or local government special packaging standard and its rationale.

(3) A detailed explanation of any State or local effectiveness specifications for special packaging and any testing protocol for meeting these effectiveness specifications.

(4) A comparison of State or local and Federal special packaging standards or requirements to show differences, including a comparison of effectiveness specifications and testing protocol.

(5) Data and information indicating that the State or local government special packaging standard or requirement alleged to provide a higher degree of protection than the Federal standard is necessary to protect children under 5 years of age from serious personal injury or serious illness resulting from handling, using, or ingesting such household substance. Evidence of the need for the State or local government provision could take the form of:

(i) Documented human experience data from the scientific literature, the National Electronic Injury Surveillance System (NEISS), and the National Clearinghouse for Poison Control Centers (NCPCC). The data should reflect the statistics and sources thereof, as well as the symptomatology and duration of any hospitalization. The data should be related to the specific household substance covered by the State or local government provision, if possible, rather than to a class of substances that includes the household substance that is the subject of the application. The data should demonstrate that the household substance subject to the regulation may cause serious personal injury or serious illness to children, and that such illness or injury arises because children are enabled by its packaging to obtain access to the substance. The data should justify the level, scope, and effective date of the State or local government provision,

where these differ from those of the Federal provision.

(ii) Experimental data (animal or human) submitted as an adjunct to the human experience data. Such experimental studies should be performed in accordance with good medical, pharmacological, and toxicological practice. Sufficient numbers of test subjects should be used to give statistical reliability to test results.

(6) Data and information to show actual or projected hazard reduction as a result of the State or local provision, and

(7) Any other information supporting the contention that the State or local provision provides a significant higher degree of protection from the risk of illness or injury with respect to which the Federal standard or requirement is in effect.

(f) Information, data, or material indicating the effect on interstate commerce of granting the requested exemption. Prior to granting an application requesting an exemption from preemption, the Commission must determine that the State or local government provision does not unduly burden interstate commerce. In making this determination, the Commission is required by section 8(c)(1)(B)(ii) of the PPPA to consider and make appropriate statutory findings as to the burden, if any, of a State or local government standard or requirement on interstate commerce. In determining whether the burden is undue, the Commission must weigh the extent of the burden against the benefit to public health and safety that would be provided by the State or local government standard or requirement. Accordingly, applications for exemptions shall include, where available, information, data, or material indicating the following:

(1) Whether it is technologically feasible to comply with the State or local government standard or requirement. Evidence of technological feasibility could take the form of:

(i) Statements by affected persons indicating ability to comply with the State or local government standard or requirement. The application could include statements from manufacturers of special packaging that package designs are available for use on the products covered by the State or local government provision, and that these designs have been successfully tested and meet any effectiveness requirements of the State or local government provision.

(ii) Information as to technological modifications necessary to achieve compliance. The application could include information concerning the need, if any, to develop any new special packaging designs, special packaging materials, or packaging equipment in order to comply with the State or local government provision.

(iii) Information evaluating any special compatibility or shelf life problems that might be encountered for any of the household substances, including individual products, covered by the State or local government provision.

(iv) Statements, including statements from affected persons, concerning the nature and extent of any special problems which might be encountered in meeting the effective date of the State or local government provision.

(v) Statements indicating that other jurisdictions have established similar provisions that have been met by persons affected by the standard or requirement that is the subject of the application.

(vi) Any other information indicating the capacity for and feasibility of compliance with the State or local government standard or requirement.

(2) Whether it is economically feasible to comply with the State or local government standard or requirement, i.e., whether there will be significant adverse effect on the production and distribution of the household substances. Evidence of economic feasibility could take the form of:

(i) Information revealing whether a State or local government standard or requirement would result in the unavailability (or result in a significant decline in the availability) of the household substance either in the interstate market or within the geographic boundary of the State or local government imposing the standard or requirement.

(ii) Statements from persons affected by the State or local government standard or requirement concerning the likely effect of the State or local standard or requirement on the availability or continued marketing of the household substance subject to the State or local government provision.

(iii) Information concerning the current cost and availability of closures or other types of packaging presently being used, and the cost and availability of special packaging in order to comply with the State or local government provisions.

(iv) Information concerning packaging line equipment costs for any new equipment required in order to comply with the State or local government provision. Such information should be expressed per line as well as total per operations of the company.

(v) Information concerning any effects of the State or local government provisions on the rates and quantity of production of the household substance, including any effects on quality control.

(vi) Any other information indicating the economic feasibility of compliance with the State or local government standard or requirement.

(3) Whether the cost of complying with the State or local government standard or requirement would unduly burden interstate commerce. Evidence of the cost of complying with the State or local government provision could take the form of information, data, or material projecting the anticipated effect of the State or local government provision on the sales and price of the household substance, both in interstate commerce and within the geographic area of the State or local government.

(4) The present geographic distribution of the household substance to which

the State or local government standard or requirement would apply, and projections of future geographic distribution. Evidence of the geographic distribution could take the form of information, data, or material (including statements from manufacturers, distributors, or retailers of the household substance) showing advertising in the interstate market, interstate retailing, or interstate distribution.

(5) The probability that other States or local governments will apply for an exemption for a similar special packaging standard or related requirement. This information could be presented in the form of statements from other States or local governments indicating whether an exemption will be sought.

(6) Whether there are any particular circumstances affecting the applicant that may weigh against the need for a national, uniform special packaging standard or other requirement applicable to the household substance. Any relevant information should be submitted, such as a showing that specified local conditions require the State or local government to apply for the exemption in order to adequately protect the public health and safety of the State or local area.

(g) A list of interested parties including consumer groups potentially affected by the establishment or continuation of the State or local government special packaging standard or requirement. The list need not be a certified or formal record.

§ 1704.3 Applications for exemption that have insufficient or incomplete information.

If an application for an exemption from preemption does not contain the information required by §§ 1704.6 and 1704.7, and does not explain why the information required by these sections has not been supplied, the Commission staff shall inform the applicant of the deficiencies and shall return the application to the applicant without prejudice.

§ 1704.9 Applications for exemption that contain the required information: Procedures.

(a) If an application for an exemption from preemption contains the information required by §§ 1704.6 and 1704.7, the Commission shall propose the exemption in the *FEDERAL REGISTER* and provide an opportunity for the written presentation of views concerning the proposal, in accordance with section 553 of Title 5 United States Code, and an opportunity for the oral presentation of views concerning the proposal.

(b) When a proposed exemption is published in the *FEDERAL REGISTER*, the proposal shall include an invitation of all interested persons to submit written comments thereon and shall also advise interested persons that, if requested within a specified period, an opportunity to make an oral presentation will be provided at a specified date. The opportunity for oral presentation of views shall take the form of an informal nonadversary, legislative-type proceeding.

§ 1704.11 Granting or denying an application for an exemption.

(a) Before granting or denying an application for an exemption, the Commission shall consider any timely oral or written comments received concerning the application. The Commission shall also consider any other relevant information that is available.

(b) After an exemption from preemption has been proposed by the Commission and interested persons have been afforded an opportunity to submit oral and written comments on the proposal, the Commission shall grant the application for an exemption only if the Commission is able to find that:

(1) Compliance with the State or local government standard or requirement would not cause the household substance to be in violation of the special packaging standard or requirement in effect under the PPPA.

(2) The State or local government standard or requirement provides a significantly higher degree of protection than the Federal provision, and

(3) The State or local government standard or requirement does not unduly burden interstate commerce.

(c) If the Commission decides to deny an application for an exemption, findings regarding whether there is an effect on interstate commerce need not be made.

(d) A notice of the grant or denial of the application shall be published by the Commission in the *FEDERAL REGISTER*.

Interested persons are invited to submit, on or before October 4, 1976, written comments regarding this proposal. Comments and any accompanying data or material should be submitted, preferably in five copies, addressed to the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the Office of the Secretary, eighth floor, 1750 K Street, NW., Washington, D.C. during working hours Monday through Friday.

Dated: August 27, 1976.

SADYE E. DUNN,
Secretary, Consumer
Product Safety Commission.

[FR Doc. 76-25694 Filed 9-1-76; 8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Part 209]

INTERNATIONAL VOLUNTARY AGREEMENTS

Recordkeeping Requirements

Since their publication in February 1976, the Federal Energy Administration (FEA) has monitored the effectiveness of the recordkeeping requirements applicable to international voluntary agreements under Part 209 of its regulations. FEA has observed that a large number of duplicative records dealing with routine matters have been submitted to it, though certain information vital to the

antitrust monitoring required under the Energy Policy and Conservation Act (Pub. L. 94-163) has been inadequately recorded. In order to rectify this situation, and alleviate the burdens caused by it with respect to both government and participants, FEA hereby proposes to amend Part 209 of Chapter II, Title 10, of the Code of Federal Regulations, in order to minimize recording of relatively trivial matters, while at the same time providing further guidance with respect to those matters which should be recorded in detail.

Under the proposal, § 209.24, providing for the maintenance of records in connection with developing a voluntary agreement, would be amended so as to clarify the requirement that the "substance" of each communication be adequately recorded. As amended, the term "substance" would include, but not be limited to, "policies and issues relating to the information and allocation provisions of the International Energy Program and the implementation thereof, the positions taken with respect to such policies and issues by each potential participant, and the conclusions reached, if any." While this clarification could result in an increase in material deemed essential and subject to recordation in detail, § 209.24 would also be amended to simplify recording in other, non-essential areas.

Where any communication is written (including telex material), and demonstrates on its face that it was already furnished to FEA, the amended regulation would exempt a participant from making a record thereof and from sending a further copy to FEA. Where the communication is administrative (for example, if it involves the location of a record, the place of a meeting, travel arrangements or similar matters) it would also not need to be recorded.

To the extent that any communication involves matters which recapitulate matters already contained in a full and complete record, the section would be amended to provide that the substance of such matters need not be recorded in detail, so long as reference is made to the record and the location therein where the matters are fully set out.

Finally, the requirement that records be deposited "promptly" with FEA, would be amended to permit their deposit within thirty days.

Under the proposal, § 209.34, providing for maintenance of records during the carrying out of voluntary agreements, would be amended in a similar fashion. In addition to the amendments discussed above, the section would also be amended to provide that where there are several communications within the same day involving the same participants, a cumulative record for the day may be kept. The requirement providing for "prompt" deposit of records would, as in the case of § 209.24, be amended to permit deposit within thirty days, except that during international energy supply emergencies, the period would be seven days.

In view of the fact that FEA has received several records of communications

between participants and U.S. Government personnel, it should be noted that such communications are exempt from recordation, since both §§ 209.24 and 209.34 apply only to communications "between or among" participants.

Interested persons are invited to submit written data, views, or arguments with respect to these proposed amendments to executive Communications, Room 3309, Federal Energy Administration, Box 1K, the Federal Building, Washington, D.C. 20461. Comments should be identified on the outside of the envelope and on the documents submitted to the Federal Energy Administration with the designation "Record-keeping Relating to International Voluntary Agreements." Fifteen (15) copies should be submitted. All comments received by 4:30 p.m., September 30, 1976, will be considered by the Federal Energy Administration in evaluating the proposed recommendation.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

Public hearings with respect to these proposed recommendations will be held beginning at 9:30 a.m., e.d.t., on October 5, 1976, in Room 2105, 2000 M Street, NW., Washington. Any person who has an interest in these recommendations or who is representative of a group or class of persons which has such an interest, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, and must be received before 4:30 p.m., e.d.t., September 24, 1976. Such a request may be hand delivered to Room 3309, the Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8 a.m., and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned; if appropriate, to state why he is a proper representative of a group or class of persons which has such an interest; and to give a concise summary of the proposed oral presentation and a phone number where he may be contacted through October 4, 1976. Each person selected to be heard will be so notified by the FEA before 4:30 p.m., e.d.t., September 28, 1976, and must submit 100 copies of his statements to Regulations Management, FEA, Room 2214, 2000 M Street, NW., Washington, D.C. 20461, before 4:30 p.m., e.d.t., October 1, 1976.

The FEA reserves the right to select the persons to be heard at these hearings, to schedule their respective presentations, and to establish the procedures governing the conduct of the hearings. The length of each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearings. These will not

be judicial or evidentiary-type hearings. Questions may be asked only by those conducting the hearings; and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearings will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any interested persons may submit questions, to be asked of any person making a statement at the hearings to Executive Communications, FEA, before 4:30 p.m., e.d.t., October 1, 1976. Any person who makes an oral statement and who wishes to ask a question at the hearings may submit the question, in writing, to the presiding officer. The FEA or the presiding officer, if the question is submitted at the hearings, will determine whether the question is relevant, and whether time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearings will be announced by the presiding officer.

A transcript of the hearings will be made and the entire record of the hearings, including the transcript, will be retained by the FEA and made available for inspection in the FEA Freedom of Information Office, Room 2107, the Federal Building, 12th and Pennsylvania Avenue, NW., Monday through Friday. Any person may purchase a copy of the transcript from the reporter.

Since this proposal is procedural only, the requirement in section 7(c)(1) of the Federal Energy Administration Act, that proposals "affecting the quality of the environment" be reviewed by the Environmental Protection Agency prior to issuance, is hereby deemed not to apply.

This proposal has been reviewed in accordance with Executive Order 11821 and OMB Circular A107 and has been determined not to require evaluation of its inflationary impact as provided therein.

(Federal Energy Administration Act of 1974, Pub. L. 93-275 as amended; E.O. 11790, 39 FR 23185; E.O. 11930, 41 FR 32399; Energy Policy and Conservation Act, Pub. L. 94-163; E.O. 11912, 41 FR 15825)

Issued in Washington, D.C., August 27, 1976.

MICHAEL F. BUTLER,
General Counsel,
Federal Energy Administration.

1. It is proposed to amend 10 CFR Part 209, § 209.24 paragraphs (b) and (c) to read as follows:

§ 209.24 Maintenance of records.

(b) (1) Except as provided in paragraphs (b) (2) through (4) of this section, potential participants shall keep a full and complete record of any com-

munication (other than in a meeting held pursuant to this subpart) between or among themselves for the purpose of developing a voluntary agreement under this part. When two or more potential participants are involved in such a communication, they may agree among themselves who shall keep such record. Such record shall include the names of the parties to the communication and the firms, if any, which they represent; the date of the communication; the means of communication; and a description of the communication in sufficient detail to convey adequately its substance. As used in this paragraph, the term "substance" includes, but is not limited to, policies and issues relating to the information and allocation provisions of the IEP and the implementation thereof, the positions taken with respect to such policies and issues by each potential participant, and the conclusions reached, if any.

(2) Where any communication is written (including telex material), and where such communication demonstrates on its face that the originator or some other source furnished a copy of the communication to FEA, no participant need record such a communication or send a further copy to FEA.

(3) To the extent that any communication is administrative (for example, if it involves the location of a record, the place of a meeting, travel arrangements, or similar materials), no participant need prepare a record thereof.

(4) To the extent that any communication involves matters which recapitulate matters already contained in a full and complete record, the substance of such matters shall be identified, but need not be recorded in detail, provided that reference is made to the record and the location therein in which the substance is fully set out.

(c) Except where the Administrator otherwise provides, all records and transcripts prepared pursuant to paragraphs (a) and (b) of this section shall be deposited within thirty (30) days of their preparation together with any agreement resulting therefrom, with the Administrator, and shall be available to the Attorney General, the Federal Trade Commission, and the Department of State. Such records and transcripts shall be available for public inspection and copying to that extent set forth in Subpart D. Any person depositing material pursuant to this section shall indicate with particularity what portions, if any, the person believes are not subject to disclosure to the public pursuant to Subpart D and the reasons for such belief.

2. It is proposed to amend 10 CFR Part 209, § 209.34 paragraphs (b) and (c) to read as follows:

§ 209.34 Maintenance of records.

(b)(1) Except as provided in paragraphs (b)(2) through (4) of this section, participants shall keep a full and

complete record of any communication (other than in a meeting held pursuant to this subpart) between or among themselves for the purpose of carrying out a voluntary agreement or developing or carrying out a plan of action under this subpart, except that where there are several communications within the same day involving the same participants, they may keep a cumulative record for the day. The parties to a communication may agree among themselves who shall keep such record. Such record shall include the names of the parties to the communication and the businesses, if any, which they represent; the date of the communication; the means of communication; and a description of the communication in sufficient detail to convey adequately its substance. As used in this paragraph, the term "substance" includes, but is not limited to, policies and issues relating to the information and allocation provisions of the IEP and the implementation thereof, the positions taken with respect to such policies and issues by each participant, and the conclusions reached, if any.

(2) Where any communication is written (including telex material), and where such communication demonstrates on its face that the originator or some other source furnished a copy of the communication to FEA, no such participant need record such a communication or send a further copy to FEA.

(3) To the extent that any communication is administrative (for example, if it involves the location of a record, the place of a meeting, travel arrangements, or similar matters, no record shall be prepared).

(4) To the extent that any communication involves matters which recapitulate matters already contained in a full and complete record, the substance of such matters shall be identified, but need not be recorded in detail, provided that reference is made to the record and the location therein in which the substance is fully set out.

(c) Except where the Administrator otherwise provides, all records and transcripts prepared pursuant to paragraphs (a) and (b) of this section shall be deposited within seven (7) days of their preparation during an international energy supply emergency and within thirty (30) days of their preparation during periods of non-emergency, together with any agreement resulting therefrom, with the Administrator and shall be available to the Attorney General, the Federal Trade Commission, and the Department of State. Such records and transcripts shall be available for public inspection and copying to the extent set forth in Subpart D. Any person depositing materials pursuant to this section shall indicate with particularity what portions, if any, the person believes are not subject to disclosure to the public pursuant to Subpart D and the reasons for such belief.

[FR Doc.76-25631 Filed 8-30-76; 9:26 am]

[10 CFR Part 212]

COMPUTATION OF LANDED COSTS; TRANSPORTATION

Notice of Proposed Rulemaking and Public Hearing

On March 9, 1976, the Federal Energy Administration (FEA) issued a notice of proposed rulemaking and public hearing (41 FR 10075) which proposed to amend Part 212 of Chapter II of Title 10 of the Code of Federal Regulations, to establish a standard measure for the cost of transportation of crude oil as a component of the landed cost of that crude oil. In light of the comments received in response to that proposal, FEA has determined that further changes in the proposed rule are appropriate, and FEA hereby proposes a revised amendment to Part 212 of Chapter II of Title 10 of the Code of Federal Regulations, to achieve the purposes of the amendment proposed in the March 9, 1976 notice.

In FEA's original proposal, a single standard hypothetical voyage based on AFRA and Worldscale would have been used to calculate transportation costs for shipments between each pair of ports. This was intended to provide a simple, easily audited, standard for all companies. The proposed nominal-cost method was intended to provide an average which would approximate industry experience, even though the costs of individual companies might be above or below the proposed standard. Such a method is necessary to avoid the complex cost allocation problems arising when major oil companies use a single shipping affiliate for transportation with respect to all of their operations worldwide.

From the written and oral comments, it is clear that although some sort of nominal-cost method is appropriate for the larger international companies, it is not a necessary or suitable index for companies whose principal marketing operations take place in the United States and whose transportation costs may in large part be attributed to serving customers here. These companies, unlike the larger international companies, have not used accounting systems based upon AFRA since they do not face the same allocation problem. Rather they have used various accounting measures of their actual costs. Any rule of the kind previously proposed by FEA would not necessarily reflect their actual transportation costs and would require a substantial change in their current accounting. Moreover these companies are less able to absorb differences between their individual cost experience and industry experience as expressed by AFRA.

In light of these considerations FEA has modified the proposed amendments to allow companies to calculate their incurred transportation costs in one of two ways, depending on their historical accounting procedures. If those historic procedures have been based predominantly on actual costs, a company would utilize the "net-cost" method; if they were based predominantly on a nominal-cost approach such as AFRA-Worldscale, the "AFRA method" would be pre-

scribed. A company wishing to change from one method to the other would be allowed, with FEA permission, to make a one-time-only change from one method to another. That change would be allowed if FEA determined that the requested method would more accurately reflect the company's long-term costs.

The proposal would also amend §§ 212.82 and 212.84(c) to make it clear that purchases which were not "resales" within the meaning of § 212.84(g) should be included in a refiner's calculation of landed cost as if the crude had been purchased in the country of origin, even if delivery would not actually be taken there. For purchases in which delivery is received at a third point, an imputed transportation cost would be calculated using the proposed rules as applicable to a refiner's normal experience.

In the amendment proposed herein, as in the one proposed in the March 9 notice, refiners which obtain transportation from affiliated entities would be treated on the same basis as those which do not. Thus, from the point of view of transportation, costs would not be affected by particular forms of corporate organization.

Finally, in the "parity" calculation provided for crude oils for which insufficient third-party sales exist to determine representative and maximum prices, a specific class of vessel, LR-1, would be designated. This change would permit FEA to make such calculations without additional reference to particular transportation patterns.

THE AFRA METHOD

For companies using the AFRA method, the proposed amendments would allow the rate implied by the AFRA factor for the class of vessel actually used, plus actual demurrage, lightering and transshipment costs. This differs in several respects from the method proposed in the March 9 notice. In that proposal, the allowed cost of transportation for crude oil was to be based on the hypothetical shipment of that crude oil in a vessel of a specified size class (LR-2) on a direct voyage from the port of the country of origin of the crude oil to its domestic port of entry, regardless of the route or size of vessel actually employed. The amendment proposed herein, on the other hand, would base allowed transportation costs on the AFRA-derived rates for the actual routes and vessels employed, and additionally would allow actual net demurrage, lightering and transshipment costs.

The earlier FEA proposal was intended to provide a simple easily-audited standard and to create additional incentives for firms to minimize their transportation costs, since their permitted cost recoveries would not be reduced by the amount of any efficiencies which they could achieve. Many of the comments received, however, indicated that the use of the relatively large vessel class proposed was inappropriate, since many terminals were unable to accommodate vessels of that size, and would lead to a

level of allowed transportation costs significantly below actual industry experience. In addition, firms indicated that they already had substantial incentives for efficient operation of their vessels, particularly since market competition already frequently limited their recoveries to less than those permitted by FEA price controls.

To accommodate these concerns, FEA is proposing to specify the use of the AFRA factor corresponding to the class of vessel actually used for a particular shipment, rather than requiring uniform use of the LR-2 class. This would assure that the AFRA measure would mirror a company's actual shipment pattern. This approach has a further advantage of assuring that total industry recoveries would be equal to industry experience if this variant of AFRA were adopted by other importing countries.

AFRA is an industry-wide measure, and in continuing to use a method based on AFRA and Worldscale, FEA has taken into account responses to the question in its March 9 Notice as to whether AFRA and Worldscale provides a valid approximation of actual industry experience. Comments received strongly affirmed the use of AFRA and there was general agreement that no alternative industry-wide averaging system would be more appropriate. No party responding could point to any particular feature of AFRA which would lead to its being an inadequate measure of industry experience. On this basis FEA has concluded that for those companies currently using an AFRA-based system, the specification of AFRA and Worldscale, based on the class of vessels and transportation routes actually used, should lead to close agreement over the long term between allowed and actual crude-oil transportation costs.

The proposed regulation would not require that companies using the AFRA method deduct from the allowable charge for transportation an amount for use of the vessel, if any, on the return leg of the voyage, even though the AFRA-Worldscale values apply to round-trip voyages. Such use is apparently infrequent, and requiring such a deduction could add significant complexity to the accounting system required for those using the AFRA method. FEA welcomes comments on the frequency of such backhaul shipments, the need to require deductions for such shipments by those companies using the AFRA method, and how such deductions might be accomplished if necessary.

In proposing this modified AFRA method, FEA acknowledges again that the actual experience of a specific company in a given year may be above or below the cost which would be allowed under the proposed amendment. This would be true with any nominal costing basis.

THE NET-COST METHOD

Under the net-cost method, allowed transportation costs would be the actual expenditures for crude-oil transportation

to unaffiliated companies by a company or companies affiliated with it. Overhead costs and the cost of land-based personnel would be excluded from allowable expenditures, and companies would have to subtract from its gross costs any outside income received for the use of vessels whose costs are included in its transportation costs. Companies would also have to allocate costs on a ton-mile basis when vessels are used for purposes other than importing crude oil into the U.S. to the extent that such use did not directly produce outside income. To allocate capital charges between periods and to allocate annual costs between months, FEA is proposing two accounting rules. A company would, however, be permitted to use customary accounting procedures generally accepted, consistently and historically applied by the firm, subject to certain findings by FEA.

To ensure the proper allocation of capital costs, FEA is proposing that for vessels owned by the company, the annual capital charge be set at the annual hire rate derived from the AFRA value in effect during the month the vessel first went into service for that company or an affiliated company. The same rule would apply to vessels leased by the company under a lease which provides that the vessel reverts to the company or an affiliated company at the end of the lease period, without payment of a further sum approximating the market value of the vessel at the end of the lease period.

The effect of this proposal would be to allow companies to retain any economic advantage which accrues to them from their decision to purchase a vessel rather than enter into a charter agreement. It would also avoid the difficulties inherent in imputing a cost of capital which might otherwise arise. In the alternative, FEA could prescribe specific amortization rules based on the cost of the vessel to the company and a specified estimated vessel lifetime. Interested parties are particularly encouraged to comment on the relative merits of these alternative methods of dealing with company-owned vessels. Persons using an amortization approach should indicate how FEA may determine appropriate asset lives for depreciation purposes, especially when used vessels are purchased, and what if any adjustments should be made to take account of the cost of capital.

To allocate annual cost between months, FEA is also proposing a particular accounting procedure. Under the proposed rule, a company would be required to estimate each month its net transportation costs for the then current fiscal year. In the first month of the fiscal year, this value would be divided by the company's best estimate of its total shipping amount for that fiscal year in ton-miles. The resulting ratio would be that company's cost per ton-mile (CTM) estimate for that company for the first month of that fiscal year. The company would then allocate transportation costs to the landed cost of each shipment of

imported crude oil loaded by the company in that month by multiplying its CTM estimate for that month times the number of ton-miles involved in the transportation of that shipment of crude oil.

In each subsequent month of the fiscal year, an update of the company's estimate of net transportation cost would be made. From this estimate, the transportation costs allocated to the landed cost of imported crude oil in previous months would be subtracted; this difference would be divided by the difference between the company's then-current best estimate of its shipping amount in ton-miles for the fiscal year and the number of ton-miles to which transportation costs had already been allocated. This ratio would be the company's CTM estimate for that month, and the company would allocate transportation costs to the landed cost of each shipment of imported crude oil loaded in that month by multiplying that CTM estimate by the number of ton-miles involved in the shipment of that crude oil.

One effect of this method would be that after the allocation of costs for the last month of the fiscal year, the total error in the transportation costs allocated for the fiscal year would be the error in the company's CTM estimate for the last month of the fiscal year times the total number of ton-miles involved in shipments loaded in that last month. This error would be corrected by reporting an adjustment, in the amount of the error, upon the company's determination of its actual net transportation cost for the fiscal year, which adjustment must be made not later than 120 days after the last days of the fiscal year.

Although FEA is proposing certain accounting rules in connection with the net-cost method, companies would be permitted, subject to FEA approval, to use their customary accounting procedures if those procedures are generally accepted and have been consistently and historically applied. Approval would be granted to the extent that FEA finds that the procedures: (i) Adequately reflect long-run transportation costs or (ii) Do not materially differ in result from the procedures prescribed by FEA. To avoid any unnecessary interim changes, companies would have three months to seek approval of existing accounting procedures.

PUBLIC COMMENT AND HEARING PROCEDURES

Interested persons are invited to participate in this rulemaking by submitting data, views, or arguments with respect to the proposed amendments set forth in this notice to Executive Communications, Room 3309, Federal Energy Administration, Box 11, Washington, D.C. 20461.

Comments should be identified on the outside of the envelope and on documents submitted to FEA Executive Communications with the designation "Computation of Landed Costs: Transportation". Fifteen copies should be submitted. All comments received by September 21, 1976, before 4:30 p.m., e.d.t., and all other relevant

information, will be considered by FEA before final action is taken on the proposed regulations.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

The public hearing in this proceeding will be held at 9:30 a.m., on September 23, 1976, and will be continued, if necessary, on September 24, 1976, in Room 2105, 2000 M Street, NW., Washington, D.C., in order to receive comments from interested persons on the matters set forth herein.

Any person who has an interest in the proposed amendments issued today, or who is a representative of a group or class of persons that has an interest in today's proposed amendments, may make a written request for an opportunity to make an oral presentation. Such a request should be directed to Executive Communications, FEA, and must be received before 4:30 p.m., e.d.t., on September 15, 1976. Such a request may be hand delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned, if appropriate, to state why she or he is a proper representative of a group or class of persons that has such an interest, and to give a concise summary of the proposed oral presentation and a phone number where he or she may be contacted through September 22, 1976. Each person selected to be heard will be so notified by FEA before 4:30 p.m., e.d.t., September 17, 1976, and must submit 100 copies of his or her statement to Regulations Management, FEA, Room 2214, Federal Building, Washington, D.C. 20461, before 4:30 p.m., e.d.t., on September 22, 1976.

FEA reserves the right to select the persons to be heard at these hearings, to schedule their respective presentations and to establish the procedures governing the conduct of the hearings. The length of each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearings. These will not be judicial or evidentiary-type hearings, and there will be no cross-examination of persons presenting statements. Any decision made by FEA with respect to the subject matter of hearings will be based on information available to FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he or she so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any interested person may submit questions to be asked of any person making a statement at the hearings to Executive Communications, FEA, before 4:30

p.m., e.d.t., September 21, 1976. Any person who wishes to ask a question at the hearings may submit the question, in writing, to the presiding officer. The FEA, or the presiding officer if the question is submitted at the hearings, will determine whether the question is relevant, and whether the time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearings will be announced by the presiding officer.

A transcript of hearings will be made and the entire record of the hearings, including the transcript, will be retained by FEA and made available for inspection at the FEA Freedom of Information Office, Room 2107, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. Any person may purchase a copy of the transcript from the reporter.

As required by section 7(c) (2) of the Federal Energy Administration Act of 1974, Pub. L. 93-275, a copy of this notice has been submitted to the Administrator of the Environmental Protection Agency (EPA) for his comments concerning the impact of this proposal on the quality of the environment. The Administrator had no comments on this proposal.

The proposal has been reviewed in accordance with Executive Order 11821, and OMB Circular Number A-107, issued November 27, 1974, and has been determined not to be of a nature that requires an evaluation of its inflationary impact. (Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, as amended by Pub. L. 94-163; Federal Energy Administration Act of 1974, Pub. L. 93-275, as amended by Pub. L. 94-385; E.O. 11790, 39 FR 23185.)

In consideration of the foregoing, it is proposed to amend Part 212 of Chapter II of Title 10, Code of Federal Regulations, as set forth below.

Issued in Washington, D.C., August 27, 1976.

MICHAEL F. BUTLER,
General Counsel,
Federal Energy Administration.

1. Section 212.82 is amended by revising paragraphs (1), (2), (5), and (6) of the definition of "landed cost" and by adding a definition of "AFRA" and "Class" immediately preceding "Cost of crude oil," and "Worldscale" immediately following "Transactions between affiliated entities."

§ 212.82 Definitions.

"AFRA" means the London Tanker Broker's Panel's average freight rate assessment.

"Class" of a vessel means the designation of a vessel based on its capacity in deadweight tons, according to the schedule set forth by the London Tanker Broker's Panel.

"Landed cost" means:

(1) For purposes of covered products other than crude oil, both purchased and

shipped pursuant to arms-length transactions, the purchase price at the point of origin plus the actual transportation cost, plus import fees and duties incurred.

(2) For purposes of covered products other than crude oil, purchased in an arms-length transaction and shipped pursuant to a transaction between affiliated entities, the purchase price at the point of origin plus the transportation cost computed by use of the customary accounting procedures generally accepted and consistently and historically applied by the firm concerned, plus import fees and duties incurred.

(5) For purposes of crude oil purchased in an arms-length transaction or satisfying the conditions of § 212.84(g), the purchase price (or the cost for crude oil satisfying the conditions of § 212.84(g)) plus the cost of transportation (if any) computed pursuant to § 212.85, from the point of delivery to the refinery or its affiliated entities to the U.S. port of entry (or the actual cost of transportation to the U.S. border in the case of crude oil not transported by sea), plus the cost of domestic transportation, plus import fees and duties incurred.

(6) For purposes of crude oil purchased in a transaction between affiliated entities, other than crude oil satisfying the conditions of § 212.84(g), the cost of crude oil f.o.b. the port of loading in the country of origin computed pursuant to § 212.84 plus the cost of transportation computed pursuant to § 212.85, from the port of loading in the country of origin to the U.S. port of entry (or the actual cost of transportation to the U.S. border in the case of crude oil not transported by sea), plus the cost of domestic transportation, plus import fees and duties incurred. Crude oil purchases which would satisfy § 212.84(g) except for the fact that the firm or its affiliated entities lift equity crude oil or otherwise receive crude oil on a preferential basis from the country of origin of that crude oil, if delivered to a firm or its affiliated entities at any location other than the country of origin, shall be treated as though the crude oil has been shipped to the U.S. port of entry from the port of the country of origin of the crude oil, on the route and in the class of vessels most commonly used by the firm and its affiliated entities for shipments between the country of origin and the U.S. port.

"Worldscale" means the Worldwide Tanker Nominal Freight Scale, jointly sponsored and issued by the Association of Ship Brokers and Agents (Worldscale) Inc. and the International Tanker Nominal Freight Scale Association Limited.

§ 212.83 [Amended]

2. Section 212.83 is amended in the last sentence of paragraph (b) thereof by removing the period [.] and adding the words "according to the procedures established in this section, § 212.84 and § 212.85".

3. Section 212.84 is amended in paragraph (c), and paragraph (e) (3) and paragraph (e) (6) (1) to read as follows:

§ 212.84 Disallowance of cost.

(c) *Cost of crude oil.* Except as provided in paragraph (g) of this section, the cost of crude oil allowed in transactions between affiliated entities shall be equal to the price which would prevail if the affiliated entities consistently and continuously dealt with each other at arms-length. A refinery purchasing crude oil from an affiliated entity shall initially set the cost of crude oil at the f.o.b. price at the port of loading in the country of origin which is representative of those prices prevailing in arms-length transactions according to the best information available to the refinery.

(3) In determining the representative and maximum prices for a reference crude oil, FEA will consider all transactions reported to FEA for the reference and related crude oils loaded during the month of measurement, except as provided in paragraph (e) (4) of this section. For purposes of determining representative and maximum prices for a reference crude oil, the prices of a related crude oil shall be adjusted to the equivalent price of the related reference crude oil on the basis of the difference in the posted prices, tax-reference prices or other official selling prices, as established by the host government for those two crude oils. For delivered sales, the price shall be adjusted to an f.o.b. price at the port of loading in the country of origin by subtracting the imputed cost of transportation calculated as provided in § 212.85 (d) (1) (the reference loading date being the month of purchase and the vessel class being LR-1); provided that if the sales contract stipulates the actual transportation cost, that cost shall be used for adjustment purposes.

(6) The transportation adjustment shall be equal to the difference in the cost of shipping from the points of loading to the appropriate points of landing, calculated in accordance with § 212.85 (d) (1) with the reference loading date being the month for which the adjustment is made, and the vessel class being LR-1.

4. Part 212 is amended by adding a new § 212.85 to read as follows:

§ 212.85 Transportation costs.

(a) *Purpose and scope.* This section prescribes the standards which refiners shall use to establish the cost of transportation by sea to the United States of imported crude oil, for the purpose of determining the landed cost of that crude oil.

(b) *Selection of method.* For the purposes of this section, a firm shall utilize either the net cost method specified in paragraph (c) of this section, or the AFRA method specified in paragraph (d) of this section, depending on that firm's historical accounting procedures for the determination of its crude-oil transportation costs. A firm shall utilize

the net-cost method if those procedures have been based predominantly on actual costs; it shall utilize the AFRA method if they have been based predominantly on a nominal-cost approach such as AFRA-Worldscale. Each reporting firm shall notify FEA within 30 days of the effective date of this regulation as to which method these regulations require it to utilize. Within 90 days from the effective date of this regulation, a firm may request permission to make a one-time-only change from one method to the other. FEA will allow that change if, in its opinion, the method then adopted would more accurately reflect the firm's long-term costs for the transportation of crude oil.

(c) *The net-cost method.* (1) A firm using the net cost method for determination of its transportation costs shall establish its net transportation cost by subtracting from its gross transportation cost the sum of:

(i) Any income received by the firm (including its affiliates) from unaffiliated entities for the use of vessels whose costs are included in the total allowed transportation costs, plus (ii) The product of that firm's cost per ton-mile for the fiscal year, determined according to paragraph (b) (3) of this section, times the total ton-miles of shipping during the fiscal year which does not produce income from unaffiliated companies, does not involve crude oil imported into the United States, and uses vessels whose costs are included in its gross transportation cost. Transportation costs shall be allocated to particular shipments according to paragraph (c) (3) of this section. A firm's gross transportation cost shall consist of allowed transportation costs, determined according to paragraph (c) (2) of this section, relating to all vessels used in whole or in part by the firm for shipment of crude oil to the United States. Overhead costs and the cost of land-based personnel may not be included in the gross transportation cost.

(2) (i) Allowed transportation costs relating to a particular vessel shall be calculated in a manner dependent on whether the ownership status of the vessel is "equity" status or "charter" status. A vessel has equity status if it is owned by the firm or an affiliated entity, or leased by the firm or an affiliated entity under terms of a lease in which title reverts to the firm or an affiliated entity at the end of the lease period without additional payment, or upon the additional payment of a sum which does not approximate the then-current market value of the vessel. A vessel has charter status if it does not have equity status.

(ii) Allowed transportation costs relating to an equity-status vessel shall be the sum of the annual-hire rate derived from the AFRA value effective for the month the vessel first went into service for the firm or an affiliated entity, plus actual payments made by the firm or an affiliated entity to unaffiliated entities for the use of that vessel for goods and services not normally provided to a charterer under the terms of an international tanker time charter party agreement.

(iii) Allowed transportation costs for a charter-status vessel shall be the sum of all payments made by the firm or an affiliated entity to unaffiliated entities for the use of the vessel.

(3) Allocation of transportation costs to a shipment of crude oil shall be determined as the product of the number of ton-miles of crude oil transported in that shipment times that firm's "cost per ton-mile" (CTM) estimate for that month. The CTM estimate of a firm for a given month shall be the ratio of:

(i) The firm's best estimate of its net transportation cost for the fiscal year, minus the transportation costs the firm has allocated to shipping for all previous months of the fiscal year, to:

(ii) The firm's best estimate of its total shipping quantity in ton-miles for the fiscal year using vessels whose costs are included in that firm's gross transportation cost, minus the number of ton-miles of such shipping for which the firm has allocated costs in all previous months of the fiscal year. Upon determination of its actual net transportation cost for a fiscal year, but not later than 120 days beyond the end of that fiscal year, each firm shall report as an adjustment to its cost the difference between the actual value of its net transportation cost for that fiscal year and the total transportation costs allocated by the firm for the fiscal year. The ratio of the firm's net transportation costs for a fiscal year to the total amount of that firm's shipping in ton-miles for that fiscal year, is that firm's CTM for that fiscal year.

(4) Firms may request approval to use their customary accounting procedures in lieu of those specified in paragraph (c) (2) or (c) (3) of this section, provided that those procedures are otherwise consistent with this section and are generally accepted and have been consistently and historically applied. FEA will grant approval for such use to the extent it finds that such use:

(i) Does not materially differ in result from those prescribed in paragraph (c) (2) or (c) (3) of this section, or (ii) Adequately reflects long-run transportation costs. Firms may retain their current accounting procedures for 90 days after the effective date of this regulation. Applications pursuant to this paragraph should set out in detail the accounting procedures used, and to the extent possible should include a comparison of the cost of transportation calculated using such procedures and those prescribed by FEA. Applications should also be accompanied by an opinion from the firm's independent auditors that such procedures are generally accepted and have been consistently applied by the firm, and should be submitted to the Deputy Assistant Administrator for Operations, Office of Regulatory Programs of FEA.

(d) *The AFRA method.* A firm using the AFRA method for determination of its transportation costs shall establish as its cost for the shipment of crude oil between two ports in a particular vessel, given either a reference or actual load-

ing date and class of the vessel, the sum of:

(1) The product of the AFRA factor applicable to that loading date and that class of vessel times the Worldscale rate between the two ports,

(2) Actual demurrage, calculated according to the terms of standard international tanker voyage charter party agreements, or a credit for laytime allowed according to such terms but not actually used, and

(3) Actual lightering and transshipment costs. The Worldscale value to be used for shipments in which a particular vessel loads and/or unloads at more than one port shall be the multiport Worldscale value for that combination of ports, if it is listed; if not, the value to be used shall be calculated in a manner consistent with the calculation of Worldscale multi-port values. Allocation of costs for multi-port deliveries shall be on a ton-mile basis. Transportation costs for shipments in which more than one vessel is used shall be the sum of the costs of transportation in each vessel used.

[FR Doc. 76-25700 Filed 8-30-76; 11:44 am]

PRESIDENT'S COMMISSION ON PERSONNEL INTERCHANGE

[1 CFR Part 440]

PRIVACY ACT OF 1974

Proposed Implementation

Notice is hereby given that Part 440 of Title 1 of the Code of Federal Regulations is proposed to be added as set forth below.

The proposed addition implements 5 U.S.C. 552a(f) by setting forth rules and procedures for notification of the existence of records, obtaining copies of records and correction of records under the Privacy Act of 1974.

Public Comment is invited on these proposed regulations and will be considered by the Commission if received no later than September 27, 1976. Comments should be submitted in writing to the Executive Director, President's Commission on Personnel Interchange, Room 1316, 1900 E Street NW., Washington, D.C. 20415. Notwithstanding the foregoing, these regulations are proposed to become effective on October 25, 1976, and shall remain in effect until and unless revised by the Commission.

PART 440—PRESIDENT'S COMMISSION ON PERSONNEL INTERCHANGE

Sec.

440.1 Purpose and scope.

440.2 Procedures for notification of existence of records pertaining to individuals.

440.3 Procedure for requests for access to or disclosure of records pertaining to individuals.

440.4 Correction of records.

440.5 Disclosure of records to agencies or persons other than the individual to whom the record pertains.

AUTHORITY: 5 U.S.C. 552a(f)

§ 440.1 Purpose and scope.

This part sets forth the President's Commission on Personnel Interchange procedures under the Privacy Act of 1974 as required by 5 U.S.C. 552a(f). Information to applicants regarding the implementation of this Act is contained in the Commission's Nominee's Biographical Form.

§ 440.2 Procedures for notification of existence of records pertaining to individuals.

(a) The system of records, as defined in the Privacy Act of 1974, maintained by the President's Commission on Personnel Interchange is listed annually in the Federal Register as required by that Act. Any person who wishes to know whether a system of records contains a record pertaining to him or her may either appear in person at Room 1316, 1900 E Street NW., on work days between the hours of 8:30 a.m. and 4:30 p.m. or may write to the President's Commission on Personnel Interchange, Assistant Director for Administration, Washington, D.C. 20415 (Phone 632-6834). It is recommended that requests be made in writing.

(b) Requests for notification of the existence of a record should state, if the requester is other than the individual to whom the record pertains, the relationship of the requester to that individual.

NOTE.—That requests will not be honored by the Commission pursuant to the Privacy Act unless made (1) by the individual to whom the record pertains or with his written consent; or, (2) by such individual's legal guardian if the individual has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction.

(c) The Commission will acknowledge requests for the existence of records within 10 working days from the time it receives the request and will normally notify the requester of the existence or non-existence of records within 30 working days from receipt of request.

(d) For purposes of identity verification, individuals who wish to know whether a specific system of records pertains to them must furnish their (1) full name; and (2) date of birth.

§ 440.3 Procedure for requests for access to or disclosure of records pertaining to individuals.

(a) Any person may request review of records pertaining to him by appearing at Room 1316, 1900 E Street NW., Washington, D.C. 20415 on work days between the hours of 8:30 a.m. and 4:30 p.m. or by writing to the Commission on Personnel Interchange, Assistant Director for Administration, Washington, D.C. 20415. (See paragraph (b) of this section for identification requirements.) The Commission will strive either to make the record available within 15 working days of the request or to inform the requester of the need for additional identification.

(b) In the case of persons making requests by appearing at the Commission,

reasonable identification such as employment identification cards, drivers licenses, or credit cards will normally be accepted as sufficient evidence of identity in the absence of any indications to the contrary.

(c) Charges for copies of records will be at the rate of \$0.10 per photocopy of each page. No charge will be made unless the charges as computed above would exceed \$3 for each request or related series of requests. If a fee in excess of \$25 would be required, the requester shall be notified and the fee must be tendered before the records will be copied. Remittance shall be in the form either of a personal check or bank draft drawn on a bank in the United States or a money order. Remittances shall be made payable to the order of the Treasury of the United States and mailed or delivered to the Assistant Director for Administration, President's Commission on Personnel Interchange, Washington, D.C. 20415.

(d) Individuals will not be denied access to records pertaining to them.

§ 440.4 Correction of records.

(a) An individual may request that a record or records pertaining to him or her be amended or corrected. Such requests shall be submitted in writing to the Assistant Director for Administration at the Commission's business address.

(b) The signature of the requester will be sufficient identification for requesting correction of records.

(c) A request for amendment shall contain an exact description of the item or items sought to be amended and specific reasons for the requested amendment as well as the individual's birthdate for purposes of verification of records.

(d) Within 10 working days after receipt of a request to amend a record, the Assistant Director for Administration shall transmit to the requester a written acknowledgment of receipt of request. No acknowledgement is required if the request can be reviewed and processed with notification to the individual of compliance or denial within the ten-day period. A requester will be notified within 30 days whether or not his or her request has been granted.

(e) If the Assistant Director determines that the requested amendment is appropriate to insure that the record is:

(1) Relevant and necessary to accomplish the purposes for which the records were collected; and

(2) As accurate, timely, and complete as is reasonably necessary to assure fairness to the requester, the Assistant Director shall:

(i) Change the record accordingly;

(ii) Advise the requester that the change has been made, thirty days from receipt of written request;

(iii) After an accounting of disclosures has been kept pursuant to 5 U.S.C. 552a (c), advise all previous recipients of the record who, the Commission believes, still retain a copy thereof of the fact that the amendment was made and the substance of the amendment.

(f) If, after review of the record, the Assistant Director determines that the requested amendment is not in conformity with the requirements of the Act, he or she shall:

(1) Advise the requester in writing within thirty days of written request of such determination together with specific reasons therefor; and

(2) Inform the requester that further review of the request by the Executive Director of the Commission is available if a written request therefor is made within 30 days after the date of denial.

(g) Within 30 working days of receipt of a written request for review pursuant to § 440.4(f)(2) the Executive Director shall make an independent review of the record, using the criteria of § 440.4(e)(1) and (2).

(1) If the Executive Director determines that the record should be amended in accordance with the request, the Assistant Director for Administration shall take the actions listed in § 440.4(e)(1), (ii), and (iii).

(2) If the Executive Director, after independent review, determines that the record should not be amended in accordance with the request, the Assistant Director shall advise the requester:

(i) Of the determination and the reasons therefor;

(ii) Of his or her right to file with the Assistant Director a concise statement of his or her reasons for disagreeing with the refusal to amend the record;

(iii) That the record will be annotated to indicate to anyone subsequently having access to it that a statement of disagreement has been filed, and that the statement will be made available to anyone to whom the record is disclosed;

(iv) That the Executive Director and the Assistant Director for Administration may, in their discretion, include a brief summary of their reasons for refusing to amend the record whenever such disclosure is made;

(v) That any prior recipients of this disputed record, who, the Commission believes still retain a copy thereof, will be sent a copy of the statement of disagreement, after an accounting of disclosures has been kept pursuant to 5 U.S.C. 552a (c);

(vi) Of his or her right to seek judicial review of the refusal to amend the record, pursuant to 5 U.S.C. 552a(g)(1)(A).

§ 440.5 Disclosure of records to agencies or persons other than the individual to whom the record pertains.

Records subject to the Privacy Act that are requested by any person other than the individual to whom they pertain will not be made available except under the following circumstances:

(a) Records may be circulated to appropriate officials and organizations incident to placing nominees in Executive Interchange assignments and to carry out the responsibilities and functions of the Executive Interchange program.

(b) An accounting of the date, nature, and purpose of each disclosure of a record as well as the name and address of the person and agency to whom the disclosure was made will be indicated on the record. This accounting is available to the individual to whom the records pertain on written request to the Commission.

For President's Commission on Personnel Interchange.

JAY F. MORRIS,
Executive Director.

[FR Doc. 76-25627 Filed 9-1-76; 8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE TREASURY

Office of the Secretary

AUTOMOBILE BODY DIES FROM JAPAN

Tentative Discontinuance of Antidumping Investigation

Information was received on January 21, 1976, from counsel acting on behalf of the National Tool, Die and Precision Machining Association, of Washington, D.C., alleging that automobile body dies from Japan were being sold at less than fair value, thereby causing injury to, or likelihood of injury to, or the prevention of the establishment of an industry in the United States, within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). On the basis of this information and subsequent preliminary investigation by the Customs Service, an "Antidumping Proceeding Notice" was published in the FEDERAL REGISTER of February 26, 1976 (41 FR 8400).

TENTATIVE DISCONTINUANCE

On the basis of the information developed in Customs' investigation and for the reasons noted below, pursuant to section 201(b) of the Act (19 U.S.C. 160 (b)), I hereby determine that the antidumping investigation concerning automobile body dies from Japan should be tentatively discontinued.

STATEMENT OF REASONS ON WHICH THIS DETERMINATION IS BASED

The reasons and bases for the above tentative determination are as follows:

a. *Scope of the Investigation.* It appears that approximately 78 percent of all imports of the subject merchandise from Japan were manufactured by Ogihara Iron Works Company, Ltd., Ohta City, Japan. Therefore, the investigation was limited to this manufacturer.

b. *Basis of Comparison.* For the purpose of considering whether the merchandise in question is being, or is likely to be, sold at less than fair value within the meaning of the Act, the proper basis of comparison appears to be between purchase price and the constructed value of the imported merchandise. Purchase price as defined in section 203 of the Act (19 U.S.C. 162), was used since all export sales appear to be made to an unrelated United States purchaser. Constructed value, as defined in section 206 of the Act (19 U.S.C. 165), was used since there appear to be no sales of such or similar merchandise in the home market or to third countries.

In accordance with § 153.31(b), Customs Regulations (19 CFR 153.31(b)), pricing information was obtained concerning sales to the United States of automobile body dies from Japan during the 8-month period August 1, 1975, through March 31, 1976, as well as appropriate constructed value information.

c. *Purchase Price.* For the purposes of this tentative determination, adjustments have been made on the following bases. In the import transactions, all of the merchandise was purchased or agreed to be purchased, prior to the time of exportation, by the person by whom or for whose account it was imported, within the meaning of the Act. The purchase price has been calculated on the basis of the packed, c.i.f., U.S. delivered price, to an unrelated U.S. purchaser. Pending receipt and verification of additional data related to transportation, insurance, brokerage, and commission expenses, deductions have been made for Japanese inland freight, ocean freight, insurance, U.S. duty and brokerage fees, U.S. inland freight, handling, and commissions paid to the U.S. sales agent, as claimed by counsel for Ogihara Iron Works Co., Ltd.

d. *Constructed Value.* For the purposes of this tentative determination, constructed value has been calculated on the basis of the sum of the cost of materials and of fabrication of the merchandise, an amount for general expenses and profit related to the manufacture and sale of merchandise of the same general class or kind as the merchandise under consideration, and the cost of all containers and coverings used to pack the merchandise ready for shipment to the United States.

e. *Results of Fair Value Comparisons.* Using the above criteria, the comparisons made on 100 percent of the sales of the subject merchandise to the United States by Ogihara Iron Works Co., Ltd., during the representative period, indicate that, in some instances, purchase price probably will be less than the constructed value of the imported merchandise. However, these margins amounted to roughly 0.5 of one percent when weighted over 100 percent of sales and these have been determined to be minimal in terms of the volume of sales involved. In addition, formal assurances have been received from counsel acting on behalf of Ogihara Iron Works Co., Ltd., that Ogihara will make no future sales at less than fair value within the meaning of the Act.

Accordingly, the antidumping investigation of automobile body dies from Japan is being tentatively discontinued in accordance with section 201(b) (1) (C)

of the Act (19 U.S.C. 160(b) (1) (C)), and § 153.33(a) (1), Customs Regulations (19 CFR 153.33(a) (1)).

In accordance with §§ 153.33(b) and 153.40, Customs Regulations (19 CFR 153.33(b), 153.40), interested persons may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any request that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 1301 Constitution Avenue, NW., Washington, D.C. 20229, in time to be received by his office on or before September 13, 1976. Such request must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should also be addressed to the Commissioner of Customs in time to be received by his office on or before October 4, 1976.

This notice is published pursuant to § 153.33(b), Customs Regulations (19 CFR 153.33(b)).

DAVID R. MACDONALD,
Assistant Secretary of
the Treasury.

AUGUST 27, 1976.

[FR Doc. 76-25684 Filed 9-1-76; 8:45 am]

[Treasury Dept. Order No. 191-3 (Rev.)]

DEPUTY ASSISTANT SECRETARY (OPERATIONS) ET AL.

Order of Succession of Officials Authorized To Act as Assistant Secretary of the Treasury (Enforcement, Operations and Tariff Affairs)

By virtue of the authority vested in me by Treasury Department Order No. 190, Revision 11 (41 FR 20198), the following officials of the office of the Assistant Secretary (Enforcement, Operations and Tariff Affairs) in the order of succession enumerated herein are hereby authorized and directed to act as Assistant Secretary (Enforcement, Operations and Tariff Affairs) and to perform all of the functions of that office consistent with Treasury Department Order No. 190, during the absence or disability of the Assistant Secretary or when there is a vacancy in that office:

1. Deputy Assistant Secretary (Operations).
2. Deputy Assistant Secretary (Tariff Affairs).
3. Deputy Assistant Secretary (Enforcement).

In the absence or disability of both the Assistant Secretary (Enforcement, Op-

erations and Tariff Affairs) and the Deputy Assistant Secretary (Operations), the following officials are authorized to perform any function the Assistant Secretary is authorized to perform. Each of these officials shall perform functions under this authority in his own capacity and under his own title. Each of these officials will ordinarily perform under this authority only functions which arise out of, relate to, or concern the activities or functions of, or the laws administered by or relating to, organizational units over which he has supervision:

1. Deputy Assistant Secretary (Tariff Affairs).
2. Deputy Assistant Secretary (Enforcement).
3. Director, Office of Operations.

Treasury Department Order 191-3 (Revised), dated January 22, 1974, designating officials to act in the absence of the Assistant Secretary (Enforcement, Operations and Tariff Affairs) is hereby revoked.

Dated: August 24, 1976.

DAVID R. MACDONALD,
Assistant Secretary of the
Treasury (Enforcement, Operations and Tariff Affairs).

[FR Doc.76-25718 Filed 9-1-76; 8:45 am]

DEPARTMENT OF DEFENSE

Department of the Army

CHIEF OF ENGINEERS ENVIRONMENTAL ADVISORY BOARD

Cancellation of Meeting

The meeting of the Chief of Engineers' Environmental Advisory Board (EAB) scheduled for September 9, 1976, has been cancelled. Notice of the EAB meeting appeared in the August 20, 1976 FEDERAL REGISTER on page 35201. The date for the rescheduled meeting will be announced.

Dated: August 27, 1976.

JOHN R. HILL, Jr.,
LTC, Corps of Engineers, Assistant
Director of Civil Works,
Environmental Programs.

[FR Doc.76-25716 Filed 9-1-76; 8:45 am]

Department of the Navy

JANNAF COMBUSTION ADVISORY COMMITTEE

Meeting

In accordance with section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following committee meeting.

Name: JANNAF Combustion Advisory Committee.

Date: 13-17 September 1976.

Place: Ingersoll and Spanagel Halls, Naval Postgraduate School, Monterey, California.

Time: 0830-1900 Monday; 0830-1700 Tuesday through Friday.

Proposed Agenda: 13-17 Sept—technical sessions. 13 Sept (1700)—business meetings of the gun, motor design, instrumentation, workshop, and instability prediction subcommittees. 14, 16, 17 Sept—workshops

on flame stabilization, acoustic absorbers, and combustion instability in smokeless rocket motors. 15 Sept (1300)—business meeting of the Advisory Committee to discuss the achievements and future plans of its subcommittees.

Purpose of the Meeting: The meeting is held to promote technical discussions and solutions of combustion dynamic problems within rocket motors, rocket engines, airbreathing systems, lasers, and guns.

Attendance to the classified technical sessions is restricted to those individuals who possess a personal security clearance of at least Confidential and a certified need-to-know in the area of chemical rocket propulsion.

Attendance to the business meetings and workshops is open to the public. Public attendance, depending on available space, may be limited to those persons who have notified the Advisory Committee chairman in writing at least five (5) days prior to the business meetings and/or workshops of their intention to attend.

Any member of the public may file a written statement with the Advisory Committee chairman before, during, or after the business meetings and/or workshops. To the extent that time permits, the chairman may allow public presentation of oral statements at the meetings and/or workshops.

All communication regarding this Advisory Committee should be addressed to Dr. Ronald L. Derr, Code 608, Naval Weapons Center, China Lake, CA 93555.

R. L. DERR,
Head, Aerothermochemistry Division.

[FR Doc.76-25632 Filed 9-1-76; 8:45 am]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

BLACK DUCK AND CANVASBACK/REDHEAD ENVIRONMENTAL ASSESSMENTS

Availability

The U.S. Fish and Wildlife Service announces that environmental assessments have been prepared for the canvasback (*Aythya valisineria*) and redhead (*Aythya americana*) (one report) and for the black duck (*Anas rubripes*). These statements supplement the information provided in the "Final Environmental Statement for the Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (FES 75-54)" issued in June 1975 (40 FR 25241; June 13, 1975). Both assessments were to be available on August 5, 1976, the date of the Waterfowl Regulations Public Hearing according to notices published in the FEDERAL REGISTER (41 FR 9177; March 3, 1976, and 41 FR 27987; July 8, 1976). Neither assessment was available on schedule because data acquisition delays prevented an adequate review period prior to August 5, 1976.

*Dated: August 30, 1976.

GEORGE W. MILLAS,
Acting Director, U.S. Fish
and Wildlife Service.

[FR Doc.76-25779 Filed 9-1-76; 8:45 am]

Bureau of Land Management ANCHORAGE DISTRICT ADVISORY BOARD Meeting

Notice is hereby given that the Anchorage District Advisory Board of the Bureau of Land Management will meet at the district office, 4700 East 72nd Avenue, Anchorage, Alaska, September 17 and 18, 1976. Meetings will begin at 8 a.m. both days.

The meeting will be devoted principally to briefing the board on planning units within the Anchorage District. The Friday session will include a field trip to the Portage area, site of an interagency cooperative project for improving waterfowl habitat. Members of the public wishing to participate in the field trip will be required to furnish their own transportation.

Proceedings of the Saturday session will include presentations on: fire management and the State of Alaska's assumption of fire suppression responsibility; district board composition under the proposed rechartering; and the status of proposals to dedicate the Iditarod Trail a national historic trail.

The meeting will be open to the public. Time will be made available at 1 p.m. Saturday for brief statements by members of the public. Those wishing to make oral statements should notify the district manager, Anchorage District Office, 4700 East 72nd Avenue, Anchorage, Alaska 99507. Further information concerning the meeting may be obtained from Mrs. Joette Storm, Public Information Officer, Anchorage District Office, 4700 East 72nd Avenue, (907) 344-9661.

CURTIS V. McVEE,
State Director, Alaska.

[FR Doc.76-25651 Filed 9-1-76; 8:45 am]

ROCK SPRINGS DISTRICT MULTIPLE USE ADVISORY BOARD

Meeting

AUGUST 25, 1976.

Notice is hereby given that the Rock Springs District Multiple Use Advisory Board will meet at 9:00 a.m., October 7, 1976, and at 8:30 a.m., October 8, 1976, at the Bureau of Land Management District Office, Rock Springs, Wyoming.

The agenda will include discussion of proposed Bureau regulations for off-road vehicle use and for grazing administration and trespass on national resource lands; discussion of the economic analysis in the Sandy Grazing Environmental Statement; discussion of planning system information and documents for the Salt Wells, Sandy-Pilot Butte and Pioneer Trails Planning Units; consideration of the Board's organization for 1977, and progress reports on wild horse activities and the grazing and coal environmental statements.

The meeting will be open to the public. Oral or written statements may be submitted for the Board's consideration during the afternoon of the first meeting day. Such statements should be limited to matters set forth in the agenda.

Time limits for oral presentations may be established by the Chairman to ensure that all may be heard within the time available for such statements. Any interested person or organization may file a written statement with the Board for its consideration. Such statements may be submitted at the meeting or mailed to the Board Chairman, Bureau of Land Management, Box 1869, Rock Springs, Wyoming 82901.

Further information concerning the meeting may be obtained from Ronald Herdt, Public Affairs Officer, Bureau of Land Management, Box 1869, Rock Springs, Wyoming 82901. His telephone is (307) 362-6613.

NEIL F. MORCK,
District Manager.

[FR Doc.76-25652 Filed 9-1-76;8:45 am]

[M 10419]

MONTANA

Partial Termination of Proposed Withdrawal and Reservation of Lands

AUGUST 27, 1976.

Notice of the Department of Transportation application, M 10419, for withdrawal and reservation of lands for highway construction, was published as FEDERAL REGISTER Document No. 68-15089 on pages 18948 and 18949 of the issue for December 19, 1968. The Department has canceled its application insofar as it affects the following described land:

PRINCIPAL MERIDIAN, MONTANA

- T. 18 N., R. 29 W.,
Sec. 3, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 4, Lots 11, 12, 14, 16, and 19;
Sec. 10, Lot 6 and NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 11, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 13, S $\frac{1}{2}$ S $\frac{1}{2}$; and
Sec. 24, Lot 16.
T. 19 N., R. 30 W.,
Sec. 25, NE $\frac{1}{4}$ SE $\frac{1}{4}$; and
Sec. 27, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described aggregates 551.70 acres.

Therefore, pursuant to the regulations contained in 43 CFR 2091.2-5(b) (1) such land will be at 10 a.m. on October 6, 1976, relieved of the segregative effect of the above-mentioned application.

ROLAND F. LEE,
Chief, Branch of Lands and
Minerals Operations.

[FR Doc.76-25737 Filed 9-1-76;8:45 am]

National Park Service

CASTILLO DE SAN MARCOS NATIONAL MONUMENT

Intention to Negotiate Concession Permit

Pursuant to the provisions of section 5 of the Act of October 9, 1965, (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that on or before October 4, 1976, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession permit with J. Carver Harris, dba The Castillo Shop, authorizing him to con-

tinue to provide concession facilities and services for the public at Castillo de San Marcos National Monument for a period of five (5) years from January 1, 1976, through December 31, 1980.

An analysis of the environmental impact of this proposed action has been made and it has been determined that it will not significantly affect the quality of the environment, and that it is not a major Federal action having a significant impact on the environment under the National Environmental Policy Act of 1969. The environmental analysis may be reviewed in the Office of the Regional Director, Southeast Regional Office, 1895 Phoenix Boulevard, Atlanta, Georgia 30349.

The foregoing concessioner has performed his obligations to the satisfaction of the Secretary under an existing permit which expires by limitation of time on December 31, 1979, and therefore, pursuant to the Act of October 9, 1965, as cited above, is entitled to be given preference in the renewal of the permit and in the negotiation of a new permit to supersede and cancel his existing permit. However, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted on or before October 4, 1976.

Interested parties should contact the Assistant Director, Concessions Management, National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed permit.

Dated: August 26, 1976.

JOHN E. COOK,
Associate Director,
National Park Service.

[FR Doc.76-25682 Filed 9-1-76;8:45 am]

INDEPENDENCE NATIONAL HISTORICAL PARK ADVISORY COMMISSION

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Independence National Historical Park Advisory Commission will be held at 10:30 a.m. on October 5, 1976, at 313 Walnut Street, Philadelphia, Pennsylvania.

The Commission was established by Pub. L. 80-795 to render advice on such matters relating to the park as may from time to time be referred to them for consideration.

The members of the Commission are as follows:

- Mr. Arthur C. Kaufmann (Chairman).
Mr. John P. Bracken.
Hon. Michael J. Bradley.
Hon. James A. Byrne.
Mr. Michael J. Byrne.
Mrs. Alice Lonsdorf.
Mr. Filindo B. Masino.
Mr. Frank C. P. McGlinn.
Mr. John B. O'Hara.
Mr. Howard D. Rosengarten.
Mr. Charles R. Tyson.

The matters to be considered at this meeting include:

1. Report on summer use and activities.
2. Bell carillon in Independence Mall.
3. Independence Mall tent.
4. Coming events.

The meeting will be open to the public. Any person may file with the Commission an oral or written statement concerning the matters to be discussed. Persons desiring further information concerning this meeting, or who wish to submit statements, may contact Hobart G. Cawood, Superintendent, Independence National Historical Park, Philadelphia, Pennsylvania at 215-597-7120.

Minutes of the meeting shall be available for inspection two weeks after the meeting at the office of the Independence National Historical Park, 313 Walnut Street, Philadelphia, Pennsylvania.

Dated: August 23, 1976.

CHESTER L. BROOKS,
Regional Director, Mid-Atlantic
Region, National Park Service.

[FR Doc.76-25683 Filed 9-1-76;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

MODOC NATIONAL FOREST GRAZING ADVISORY BOARD

Meeting

The Modoc National Forest Grazing Advisory Board will meet at 10 a.m., October 5, 1976, in the Forest Supervisor's Office, 441 N. Main, Alturas, California.

The purpose of this meeting is to discuss Election of Officers, Wild Horse Management, Land Use Plans, Grazing Management and Fees, and other items related to grazing on the Modoc National Forest.

The meeting will be open to the public. Persons who wish to attend should notify Kenneth C. Scoggin, Box 611, Alturas, California 96101, Telephone 916-233-3521. Written statements may be filed with the committee before or after the meeting.

The committee has established the following rules for public participation: Public members may speak up at meeting after the regular board meeting is completed.

KENNETH C. SCOGGIN,
Forest Supervisor.

AUGUST 27, 1976.

[FR Doc.76-25715 Filed 9-1-76;8:45 am]

LOWER WEST FORK PLANNING UNIT; LAND USE PLAN

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the Land Use Plan—Lower West Fork Planning Unit, Forest Service Report Number USDA-FS-FES (Adm.) R1-76-9.

The environmental statement concerns the proposed implementation of a revised Land Use Plan for the Lower West Fork Planning Unit, West Fork Ranger District, Bitterroot National Forest, Ravalli County, Montana. About 147,927 acres of National Forest land are affected. The planning unit is divided into 10 subunits of similar resource potential and limitations to management. Significant values, management direction, and specific statements to guide land management have been developed for each subunit.

This final environmental statement was filed with CEQ on August 27, 1976. Copies are available for inspection during regular working hours at the following locations:

- USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. & Independence Ave., SW., Washington, D.C. 20250.
- USDA, Forest Service, Northern Region, Federal Building, Missoula, MT 59801.
- USDA, Forest Service, Bitterroot National Forest, 316 North Third Street, Hamilton, MT 59840.
- USDA, Forest Service, West Fork Ranger Station, Darby, MT 59829.

A limited number of single copies are available upon request to:

Robert S. Morgan, Forest Supervisor, Bitterroot National Forest, 316 North Third Street, Hamilton, MT 59840.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the C.E.Q. guidelines.

Dated: August 27, 1976.

ROBERT S. MORGAN,
Forest Supervisor,
Bitterroot National Forest.

[FR Doc.76-25731 Filed 9-1-76; 8:45 am]

ROUTT NATIONAL FOREST GRAZING ADVISORY BOARD

Meeting

The Routt National Forest Grazing Advisory Board will meet Monday, October 4, 1976 at 9 a.m. at the Hunt Building, Steamboat Springs, Colorado.

The main purpose of this meeting will be a field trip to review a study by the Colorado Division of Wildlife to transplant moose on National Forest lands in the North Park area. While in the field other Board business will be discussed.

The meeting will be open to the public. Persons who wish to attend should notify Les Clark, Routt National Forest (303 879-1722) prior to the meeting. Public members may participate in discussions during the meeting at any time or may file a written statement following the meeting.

J. MERLE PRINCE,
Forest Supervisor.

August 26, 1976.

[FR Doc.76-25733 Filed 9-1-76; 8:45 am]

WARD-EAGLE PLANNING UNIT; MULTIPLE USE PLAN

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the Multiple Use Plan—Ward-Eagle Planning Unit, USDA-FS-FES (Adm) R1-75-3.

The environmental statement concerns a proposed action to implement a revised Multiple Use Plan for the Ward-Eagle Planning Unit, located on the Superior Ranger District, Lolo National Forest in Mineral County, Montana. The action affects 31,770 acres of National Forest Land. The plan prescribed that a major portion, 7,540 acres of the 8,960 acre inventoried roadless area, be managed for dispersed outdoor recreation in a manner which protects the natural values in a high mountain lake setting. The remaining 24,230 acres of the planning unit will be managed for various combinations of recreation, esthetics, fisheries, timber, wildlife, watershed, and minerals. The primary impact of this plan is the reduction of 600,000 board feet of lumber per year from the timber available for harvest.

The most favorable impacts are preservation of esthetic values along Interstate 90, protection of soil and water qualities on steep slopes, and retention of a large portion of the inventoried roadless area. Unfavorable impacts include alteration of the landscape and disturbance of soil, water, vegetation, and wildlife values.

This final environmental statement was transmitted to CEQ on August 27, 1976. Copies are available for inspection during regular working hours at the following locations.

- USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St., & Independence Ave., SW., Washington, D.C. 20250.
- USDA, Forest Service, Northern Region, Federal Building, 340 N. Pattee, Missoula, MT 59801.
- USDA, Forest Service, Lolo National Forest, Building 24, Fort Missoula, Missoula, MT 59801.
- USDA, Forest Service, Superior Ranger District, Superior, MT 59872.
- University of Montana, University Library, Documents Division, Missoula, MT 59801.
- University of Montana, Forestry School Library, Room 411, Science Complex, Missoula, MT 59801.
- Missoula City—County Library, Washington & East Main, Missoula, MT 59801.

A limited number of single copies are available upon request to Orville L. Daniels, Forest Supervisor, Lolo National Forest, Building 24, Fort Missoula, Missoula, Montana 59801.

Copies of the environmental statement have been sent to various federal,

state and local agencies as outlined in the CEQ guidelines.

RUSSELL E. MILLER,
Acting Forest Supervisor.

August 27, 1976.

[FR Doc.76-25732 Filed 9-1-76; 8:45 am]

DEPARTMENT OF COMMERCE

Bureau of the Census

CENSUS ADVISORY COMMITTEE ON THE BLACK POPULATION FOR THE 1980 CENSUS, AND THE CENSUS ADVISORY COMMITTEE ON THE SPANISH ORIGIN POPULATION FOR THE 1980 CENSUS

Public Meetings

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C., Appendix I 1974), notice is hereby given of meetings of the Census Advisory Committee on the Black Population for the 1980 Census and the Census Advisory Committee on the Spanish Origin Population for the 1980 Census.

Three meetings will be held as follows: September 22—the Census Advisory Committee on the Spanish Origin Population for the 1980 Census; September 23—a joint meeting of the Census Advisory Committee on the Black Population for the 1980 Census and the Census Advisory Committee on the Spanish Origin Population for the 1980 Census; and September 24—the Census Advisory Committee on the Black Population for the 1980 Census.

The Census Advisory Committee on the Black Population for the 1980 Census is composed of 21 members appointed by the Secretary of Commerce. It was established in October 1974 to advise the Director, Bureau of the Census, on such 1980 census planning elements as improving the accuracy of the population count, recommending subject content and tabulations of special use to the black population, and expanding the dissemination of census results among present and potential users of census data in the black population.

The Census Advisory Committee on the Spanish Origin Population for the 1980 Census is composed of 21 members appointed by the Secretary of Commerce. It was established in February 1975 to advise the Director, Bureau of the Census, on such 1980 census planning elements as improving the accuracy of the population count, developing definitions for classification of the Spanish-origin population, recommending subject content and tabulations of especial use to the Spanish-origin population, and expanding the dissemination of census results among present and potential users of census data in the Spanish-origin population.

The September 22 meeting of the Census Advisory Committee on the Spanish

Origin Population for the 1980 Census will be held in Room 2424, Federal Building 3, at the Bureau of the Census in Suitland, Maryland, and will begin at 9:30 a.m.

The agenda for the meeting is: (1) Current status of 1980 census plans; (2) content of special censuses; (3) report on the special census of Pima County, Arizona; (4) report on the Survey of Income and Education, and the Current Population Survey Language Supplement; and (5) affirmative action plans.

The September 23 joint meeting of both committees will be held in the Federal Records Center Auditorium in Suitland, Maryland, and will begin at 9:30 a.m. The agenda will consist of a discussion of the contents of the 1980 Census of Population and Housing, and reports on observations by committee members of the pretest conducted in Travis County, Texas.

The September 24 meeting of the Census Advisory Committee on the Black Population for the 1980 Census will be held in Room 2424, Federal Building 3, at the Bureau of the Census in Suitland, Maryland, and will begin at 9:30 a.m.

The agenda for the meeting is: (1) Current status of 1980 census plans; and (2) reports from Committee members on: The census undercount, questionnaire content, block statistics, confidentiality, testing and selecting aids, public relations, ethnic origin categories, and affirmative action plans.

The meetings will be open to the public and a brief period will be set aside each day for public comment and questions. Extensive questions or statements must be submitted in writing to the Committee Control Officer at least 3 days prior to the meeting.

Persons wishing further information concerning these meetings or who wish to submit written statements may contact Clifton S. Jordan, Deputy Chief, Demographic Census Staff, Bureau of the Census, Room 3779, Federal Building 3, Suitland, Maryland. (Mailing address: Washington, D.C. 20233) Telephone: (301) 763-5169.

Dated: August 27, 1976.

VINCENT P. BARBARA,
Director, Bureau of
the Census.

[FR Doc.76-25702 Filed 9-1-76;8:45 am]

**Economic Development Administration
CARDOZO MANUFACTURING COMPANY,
INC.**

Petition for Determination of Eligibility

A petition by Cardozo Manufacturing Company, Inc., 1127 West 8th Street, Kansas City, Missouri, a producer of tennis rackets, was accepted for filing on August 27, 1976, under section 251 of the Trade Act of 1974 (Pub. L. 93-618). Consequently, the United States Department of Commerce has initiated an investigation to determine whether increased imports into the United States of articles like or directly competitive with those

produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of September 13, 1976.

CHARLES L. SMITH,
Acting Chief, Trade Act Cer-
tification Division, Office of
Planning and Program Sup-
port.

[FR Doc.76-25713 Filed 9-1-76;8:45 am]

LORIET FASHIONS, INC.

Petition for Determination of Eligibility

A petition by Loriet Fashions, Inc., 416 West 13th Street, New York, New York 10014, a producer of women's handbags, was accepted for filing on August 27, 1976, under section 251 of the Trade Act of 1974 (Pub. L. 93-618). Consequently, the United States Department of Commerce has initiated an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business on September 13, 1976.

CHARLES L. SMITH,
Acting Chief, Trade Act Cer-
tification Division, Office of
Planning and Program Sup-
port.

[FR Doc.76-25714 Filed 9-1-76;8:45 am]

**DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE**

Office of Education

**NATIONAL ADVISORY COUNCIL ON
INDIAN EDUCATION**

Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. Appendix 1), that the next meeting of the Full Council of the National Advisory Council on Indian Education will be held September 17, 18, 19, 1976, at the Royal Villa of Raleigh, Highway 70, Raleigh, North Carolina 27612.

The National Advisory Council on Indian Education is established under

section 442 of the Indian Education Act, Title IV of Pub. L. 92-318, (20 U.S.C. 1221g). The Council, among other things, is directed to:

(1) Submit to the Commissioner a list of nominees for the position of Deputy Commissioner of Indian Education;

(2) Advise the Commissioner of Education with respect to the administration (including the development of regulations and of administrative practices and policies) of any program in which Indian children or adults participate from which they can benefit, including Title III of the Act of September 30, 1950 (Pub. L. 81-874) and section 810, Title VIII of the Elementary and Secondary Education Act of 1965 (as added by Title IV of Pub. L. 92-318), and with respect to adequate funding thereof;

(3) Review applications for assistance under Title III of the Act of September 30, 1950 (Pub. L. 81-874), section 810 of Title VIII of the Elementary and Secondary Education Act of 1965 and section 314 of the Adult Education Act (as added by Title IV of Pub. L. 92-318), and make recommendations to the Commissioner with respect to their approval;

(4) Evaluate programs and projects carried out under any program of the Department of Health, Education, and Welfare in which Indian children or adults can participate or from which they can benefit, and disseminate the results of such evaluations;

(5) Provide technical assistance to local educational agencies and to Indian educational agencies, institutions, and organizations to assist them in improving the education of Indian children;

(6) Assist the Commissioner in developing criteria and regulations for the administration and evaluation of grants made under section 303(b) of the Act of September 30, 1950 (Pub. L. 81-874) as added by Title IV, Part A, of Pub. L. 92-318; and

(7) Submit to the Congress not later than March 31 of each year a report on its activities, which shall include recommendations it may deem necessary for the improvement of Federal education programs in which Indian children and adults participate, or from which they can benefit, which report shall include a statement of the Council's recommendations to the Commissioner with respect to the funding of any such programs.

The meeting on September 17, 18, 19, 1976, will be open to the public beginning at 9 a.m. and ending at 6 p.m. each day. This meeting will be held at the Royal Villa of Raleigh Hotel.

The proposed agenda includes:

- (1) Executive Director's Report,
- (2) Action on previous meeting minutes,
- (3) Executive Committee Report,
- (4) Final approval of NACIE FY '77 Budget,
- (5) Plans for future NACIE activities.

(6) Regular Council business.

The September 17, 1976 meeting will be closed to the public from 3 p.m. to 5 p.m. to review applications for the position of Deputy Commissioner of the Office of Indian Education that must be held in confidence, under the authority of section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463) and under the exemptions contained in the Freedom of Information Act, section 552 (b) (2) and (6) of Title 5 U.S.C., (Pub. L. 90-23), 45 CFR 5.71(a) and 5.71(c). Discussion of the applications will include consideration of the qualifications and fitness of the candidates and will touch upon many matters which would constitute a serious invasion of privacy if conducted in an open session.

Records shall be kept of all Council proceedings and shall be available for public inspection at the Office of the National Advisory Council on Indian Edu-

cation located at 425 13th Street, NW., Room 326, Washington, D.C. 20004.

Signed at Washington, D.C. on August 30, 1976.

LINCOLN C. WHITE,
Executive Director, National Advisory Council on Indian Education.

[FR Doc.76-25705 Filed 9-1-76;8:45 am]

**Food and Drug Administration
ADVISORY COMMITTEE
Meeting**

This notice announces the forthcoming meeting of a public advisory committee of the Food and Drug Administration and is issued under section 10(a) (1) and (2) of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)):

Committee name	Date, time, place	Type of meeting and contact person
Obstetrics and Gynecology Advisory Committee.	Sept. 30 and Oct. 1, 9 a.m., conference room, G. H. Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open public hearing Sept. 30, 9 a.m. to 10 a.m.; closed committee deliberations Sept. 30, 10 a.m. to 4 p.m.; open committee discussion Oct. 1, 9 a.m. to 11 a.m.; closed presentation of data Oct. 1, 11 a.m. to 12 m.; open committee discussions Oct. 1, 1 p.m. to 3 p.m.; A. T. Gregoire, Ph. D. (HFD-130), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3510.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of marketed and investigational prescription drugs for use in the practice of obstetrics and gynecology.

Agenda—open public hearing. Any interested person may present data, information or views, orally or in writing, on issues pending before the committee.

Open committee discussion. Discussion of post-pill amenorrhea, galactorrhea and their relation with pituitary changes; and experimental therapy. Discussion of estrogen and oral contraceptive physician and patient product labeling.

Closed presentation of data. Presentation by Syntex on NDA 17-877. This portion of the meeting will be closed to protect the confidentiality of clinical data (5 U.S.C. 552(b) (6)).

Each public advisory committee meeting listed above may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. The dates and times reserved for the separate portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hear-

ing may last for whatever longer period the committee chairman determines will facilitate the committee's work.

Meetings of advisory committees shall be conducted, insofar as it practical, in accordance with the agenda published in this FEDERAL REGISTER notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairman's discretion.

Persons interested in specific agenda items to be discussed in open session may ascertain from the contact person the approximate time of discussion.

The Commissioner, with the concurrence of the Chief Counsel, has determined for the reasons stated that those portions of the advisory committee meetings so designated in this notice shall be closed. Both the Federal Advisory Committee Act and 5 U.S.C. 552(b) permit such closed advisory committee meetings in certain circumstances. Those portions of a meeting designated as closed shall, however, be closed for the shortest time possible consistent with the intent of the cited statutes.

Generally, FDA advisory committees will be closed because the subject matter is exempt from public disclosure under 5 U.S.C. 552(b) (4), (5), (6), or (7), al-

though on occasion the other exemptions listed in 5 U.S.C. 552(b) may also apply. Thus, a portion of a meeting may be closed where the matter involves a trade secret; commercial or financial information that is privileged or confidential; personnel, medical, and similar files, disclosure of which could be an unwarranted invasion of personal privacy; and investigatory files compiled for law enforcement purposes. A portion of a meeting may also be closed if the Commissioner determines: (1) That it involves inter-agency or intra-agency memoranda or discussion and deliberations of matters that, if in writing would constitute such memoranda, and which would, therefore, be exempt from public disclosure; and (2) that it is essential to close such portion of a meeting to protect the free exchange of internal views and to avoid undue interference with agency or committee operations.

Examples of matters to be considered at closed portions are those related to the review, discussion, evaluation or ranking of grant applications; the review, discussion, and evaluation of specific drugs or devices; the deliberation and voting relative to the formation of specific regulatory recommendations (general discussion, however, will generally be done during the open committee discussion portion of the meeting); review of trade secrets or confidential data; consideration of matters involving FDA investigatory files; and review of medical records of individuals.

Examples of matters that ordinarily will be considered at open meetings are those related to the review, discussion, and evaluation of general preclinical and clinical test protocols and procedures for a class of drugs or devices, consideration of labeling requirements for a class of marketed drugs and devices, review of data and information on specific investigational or marketed drugs and devices that have previously been made public, and presentation of any other data or information that is not exempt from public disclosure.

Dated: August 27, 1976.

JOSEPH P. HILE,
Acting Commissioner
of Food and Drugs.

[FR Doc.76-25679 Filed 9-1-76;8:45 am]

PANEL ON REVIEW OF INTERNAL ANALGESIC INCLUDING ANTIRHEUMATIC DRUGS

Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), the Food and Drug Administration announces the renewal of the Panel on Review of Internal Analgesic Including Antirheumatic Drugs by the Secretary, Department of Health, Education, and Welfare for an additional period of 2 years beyond August 31, 1976.

Authority for this panel will expire August 31, 1978, unless the Secretary for-

mally determines that continuation is in the public interest.

Dated: August 27, 1976.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.76-25678 Filed 9-1-76; 8:45 am]

Pfizer, Inc.

Tetracycline Boluses; Withdrawal of Approval of New Animal Drug Application

The Food and Drug Administration (FDA) is withdrawing approval of the new animal drug application for Tetracycline-Vet Bolus, effective September 2, 1976.

Under the Federal Food, Drug and Cosmetic Act (sec. 512(e), 82 Stat. 345-347 (21 U.S.C. 360b(e))) and the authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)), the following notice is issued:

Pfizer, Inc., 235 E. 42d St., New York, NY 10017, holder of new animal drug application (NADA) No. 65-062V for Tetracycline-Vet Bolus has requested, by letter dated April 25, 1975, that the application be withdrawn and has waived its opportunity for a hearing. The application was approved on August 11, 1954, for treating infections caused by susceptible organisms in cattle, sheep, swine, and horses.

An evaluation of the drug by the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, was published in the FEDERAL REGISTER of July 8, 1970 (35 FR 10966); the evaluation determined the drug to be "probably effective." The Food and Drug Administration concurred in the evaluation.

In response to the notice, Pfizer submitted disintegration data on the boluses and proposed revised labels. Pfizer was advised that because the drug was classified as probably effective it would be necessary for Pfizer to furnish substantial evidence of effectiveness for each claim made in each species of animal for which the label claims are made or, alternatively, FDA would propose to withdraw approval of the application on the basis of a lack of substantial evidence of effectiveness. In lieu of submitting the requested studies and because the drug is no longer being distributed, the firm consented, by letter dated April 25, 1975, to having the approval of the application withdrawn in accordance with § 514.115 (b) (21 CFR 514.115(b)) and waived its opportunity for a hearing.

In FR Doc. 76-25675 published in the rules and regulations section of this issue of the FEDERAL REGISTER there is an order revoking certain provisions of § 546.180c (21 CFR 546.180c), which provides for approval of the drug named in this notice.

Therefore, in accordance with § 514.115(b) (3) (iii), notice is given that approval of NADA No. 65-062V and all sup-

plements and amendments thereto for Tetracycline-Vet Bolus for cattle, sheep, swine, and horses is hereby withdrawn, effective September 2, 1976.

Dated: August 26, 1976.

C. D. VAN HOUWELING,
Director, Bureau of
Veterinary Medicine.

[FR Doc.76-25676 Filed 9-1-76; 8:45 am]

[Docket No. 76D-0276]

TOMATO POWDER

Availability of Guideline

The Food and Drug Administration is announcing the availability of a revised administrative guideline pertaining to the defect action level of tomato powder. This administrative guideline, developed by the Food and Drug Administration, Bureau of Foods, represents the maximum level for natural or unavoidable defects for tomato powder produced under good manufacturing and/or processing practices and is the level used for recommending regulatory action.

As field inspection activities identify changing problems and as relevant technology changes, this guideline will be updated to reflect current policy as it relates to specific tomato products.

The administrative guideline for tomato products was revised to establish a defect action level for rot in tomato powder when diluted at the rate of 17.0 grams per 200 milliliters of water.

Copies of this revised guideline are available for public examination at the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852. Request for single copies may be made in writing to the office of the Assistant Commissioner for Professional and Consumer Programs (HFG-1), 5600 Fishers Lane, Rockville, MD 20852.

Dated: August 26, 1976.

JOSEPH P. HILE,
Acting Associate Commissioner
for Compliance.

[FR Doc.76-25677 Filed 9-1-76; 8:45 am]

Health Services Administration OHIO STATEWIDE PROFESSIONAL STANDARDS REVIEW COUNCIL

Nominations for Public Member Positions

Notice is hereby given that pursuant to section 1162(b) of the Social Security Act (the Act) [42 U.S.C. 1320c-11(b)], nominations are being accepted for public member positions on the Ohio Statewide Professional Standards Review Council (Statewide Council). Section 1162(a) of the Act mandates that a Council shall be established in each State where there are located three or more Professional Standards Review Organizations (PSROs). As there are now located three conditional PSROs in Ohio, the Ohio Statewide Council is being formed.

The PSRO program is established under Title XI, Part B of the Act, enacted by the 1972 Amendments to the Act (P.L. 92-603) to provide for physician-directed review of the utilization and quality of medical care services paid for by the Medicare, Medicaid, and Maternal and Child Health and Crippled Children Services programs. The Statewide Council component of the PSRO program will perform a number of functions, including: (1) coordinating activities of PSROs and disseminating information and data among PSROs in the State under section 1162(c) of the Act; (2) reviewing PSRO reconsiderations under section 1159(a) of the Act; (3) reviewing PSRO sanction reports under section 1157 of the Act; (4) using its influence to assure that practitioners and providers comply with the obligations of the legislation under section 1160(c) of the Act; (5) assisting the Secretary of Health, Education, and Welfare in developing uniform data gathering and operating procedures among PSROs in the State, in evaluating PSRO performance, and, should it become necessary, in developing and arranging for a qualified replacement for a PSRO under section 1162(c) of the Act.

There will be four public representatives on the Statewide Council. Persons or organizations wishing to submit nominations for public members are advised that each nominee will be considered by the Secretary on the basis of whether such nominee is:

- (1) knowledgeable about health care in Ohio as provided under the Maternal and Child Health and Crippled Children Services, Medicare and Medicaid programs (Titles V, XVIII, XIX of the Social Security Act respectively);
- (2) willing and able to represent the interests of the public; and
- (3) willing and able to discharge the responsibilities of membership in the Statewide Council.

Special consideration will be given to qualified representatives of organizations and groups which are not otherwise included on the Statewide Council (PSRO representatives or physician representatives) or on the Statewide Council Advisory Group (nonphysician health care practitioners, hospitals, and other health care facilities). Since nominees for public member positions on the Statewide Council should represent a broad segment of public interest, involvement in community activities should be outlined in the curriculum vitae submitted with the nomination.

After due consideration of all nominees, including nominees of the Governor of Ohio, the Secretary of Health, Education, and Welfare will appoint four public representatives, at least two of whom shall have been recommended by the Governor under section 1162(b)(3) of the Act.

All nominations from the general public for public member positions on the Statewide Council, together with a curriculum vitae, should be sent to E. Frank Ellis, M.D., Regional Health Administrator at Department of Health, Educa-

tion, and Welfare, Region V Office, 300 South Wacker Drive, Chicago, Illinois 60606. To ensure consideration, nominations should be received on or before November 1, 1976. Further information concerning the nature and function of the Statewide Council and the role of public members in Council activities may be obtained by contacting the Office of the Regional Health Administrator at (312) 353-1385.

Dated: August 25, 1976.

LOUIS M. HELLMAN, M.D.
Administrator Health Services
Administration.

[FR Doc.76-25633 Filed 9-1-76;8:45 am]

GENETIC DISEASES—PART A, TITLE XI OF THE PUBLIC HEALTH SERVICE ACT

Delegation of Authority

Notice is hereby given that the following delegations, with authority for further redelegation, have been made under Part A, Title XI of the Public Health Service Act, as amended by Section 403 of Public Law 94-278, providing for the establishment of a national program for basic and applied research, research training, testing, counseling, and information and education programs with respect to genetic diseases:

1. Delegation from the Secretary to the Assistant Secretary for Health to perform all of the authorities vested in the Secretary of Health, Education, and Welfare by Part A, Title XI of the Public Health Service Act, with the exception of authority to issue regulations and submit to the President a comprehensive report on the administration of such Part A; and

2. Delegation from the Assistant Secretary for Health to the Administrator, Health Services Administration, to perform all of the following authorities delegated to the Assistant Secretary for Health under the Public Health Service Act:

a. The authority under Section 1101 (42 U.S.C. 300b) for testing and counseling programs and information and education programs.

b. The authority under Section 1105 (42 U.S.C. 300b-4) for a voluntary testing, diagnosis, counseling, and treatment program through Public Health Service facilities, provided that where such authority is exercised in Public Health Service facilities not under the jurisdiction of the Health Services Administration, it must be exercised pursuant to an interagency agreement between the PHS Agencies concerned.

c. The authority under Section 1106 (42 U.S.C. 300b-5) to develop each year a comprehensive report on the administration of the authorities under Sections 1101 and 1105.

The above delegations were effective on August 18, 1976.

Dated: August 24, 1976.

JOHN OTTINA,
Assistant Secretary for
Administration and Management.

[FR Doc.76-25764 Filed 9-1-76;8:45 am]

NATIONAL HEALTH MANPOWER SHORTAGE CLEARINGHOUSE

Delegation of Authority

Notice is hereby given that the following delegation and redelegation have been made under Section 202, of Public Law 92-157, for the establishment of the National Health Manpower Shortage Clearinghouse:

1. Delegation from the Secretary to the Assistant Secretary for Health of all authorities vested in the Secretary of Health, Education, and Welfare by Section 202 of Public Law 92-157, with the exception of authority to issue regulations.

2. Redelegation from the Assistant Secretary for Health to the Administrator, Health Services Administration, with authority to redelegate, of all authorities under Section 202 of Public Law 92-157 which were delegated to the Assistant Secretary for Health.

The above delegations were effective on August 18, 1976.

Dated: August 24, 1976.

JOHN OTTINA,
Assistant Secretary for
Administration and Management.

[FR Doc.76-25765 Filed 9-1-76;8:45 am]

National Institutes of Health

ADVISORY COMMITTEES

Open Meetings

Pursuant to Public Law 92-463, notice is hereby given of the meetings of committees advisory to the National Cancer Institute.

These meetings will be entirely open to the public to discuss issues relating to committee business as indicated in the notice. Attendance by the public will be limited to space available. Meetings will be held at the National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20014, unless otherwise stated.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5708) will furnish summaries of the meetings and rosters of committee members upon request.

Other information pertaining to the meeting can be obtained from the Executive Secretary indicated.

Name of Committee: President's Cancer Panel.

Date: October 1, 1976; 2:00 p.m.—adjournment.

Place: University of Texas at M. D. Anderson Hospital and Tumor Institute, Houston, Texas.

Time: Open for the entire meeting.

Agenda: To hear reports from the Director, National Cancer Program, National Cancer Institute; the Chairman, President's Cancer Panel, and to review the budget.

Executive Secretary: Dr. Richard A. Tjalma. Address: Building 31, Room 11A46, National Institutes of Health.

Phone: 301/496-5854.

Name of Committee: Diagnostic Research Advisory Group.

Date: October 7, 1976, 7:30 p.m.—adjournment.

Place: Dulles Marriott Hotel, Dulles International Airport, Virginia.

Time: Open for the entire meeting.

Agenda: To evaluate the Groups' Overview of Cancer Diagnosis Meeting and to make recommendations for future overview meetings.

Executive Secretary: Mr. Louis P. Greenberg. Address: Building 31, Room 3A10, National Institutes of Health.

Phone: 301/496-1591.

Dated: August 23, 1976.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76-25690 Filed 9-1-76;8:45 am]

NATIONAL ADVISORY RESEARCH RESOURCES COUNCIL

Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the National Advisory Research Resources Council, Division of Research Resources, September 30–October 1, 1976, Conference Room #7, Building 31, National Institutes of Health, Bethesda, Maryland 20014.

The meeting will be open to the public from 10:30 a.m. to recess on September 30 for: the conduct of Council business; the report of the Director, DRR; the report of the Deputy Director, DRR; a presentation entitled, "Support of New Investigators by NIH"; and a review of the functions of the General Clinical Research Centers Program. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552(b)(4), 552(b)(5), and 552(b)(6), Title 5, U.S. Code and Section 10(d) of Public Law 92-463, the meeting of the Council will be closed to the public on October 1 from 8:30 a.m. to adjournment for the review, discussion and evaluation of individual initial pending, supplemental, renewal grant applications, and Research Career Development Award Program applications. The closed portions of the meeting involve solely the internal expression of views and judgments of committee members on individual grant applications containing detailed research protocols, designs, and other technical information; financial data such as salaries; and personal information concerning individuals associated with the applications.

Mr. James Augustine, Information Officer, Division of Research Resources, National Institutes of Health, Room 5B39, Building 31, Bethesda, Maryland 20014 (301) 496-5545, will provide summaries of the meeting and rosters of the Council members. Dr. James F. O'Donnell, Deputy Director, Division of Research Resources, National Institutes of Health, Room 5B05, Building 31, Bethesda, Maryland 20014 (301) 496-6611, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.306; 13.333; 13.337; 13.371; 13.375; National Institutes of Health)

Dated: August 19, 1976.

SUZANNE L. FREMEAUX,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76-25691 Filed 9-1-76;8:45 am]

BOARD OF SCIENTIFIC COUNSELORS

Amended Notice of Meeting

Notice is hereby given of a change in the scientific research program of the Board of Scientific Counselors, Division of Cancer Biology and Diagnosis, National Cancer Institute, on October 29-30, 1976, which was published in the FEDERAL REGISTER on August 10, 1976, (41 FR 33575).

This scientific research program was to have been presented by the Laboratory of Cell Biology, DCBD, but has been changed to the Laboratory of Pathology, DCBD.

The meeting will be open to the public on October 29, 1976, from 9:00 a.m. to 5:00 p.m.

Dated: August 17, 1976.

SUZANNE L. FREMEAUX,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76-25692 Filed 9-1-76;8:45 am]

SYMPOSIUM ON BIOASSAY MODELS AND INHALATION TOXICOLOGY

Meeting

Notice is hereby given of the Symposium on Bioassay Models and Inhalation Toxicology sponsored by the National Cancer Institute, October 20-22, 1976, at the Tampa Airport Resort, Tampa, Florida.

This meeting will be open to the public from 9 am to 6 pm on October 20, 21, and 22 to discuss the following topics: 1) Improved designs for exposure devices for animal models and materials being tested, 2) Suitable experimental animal models, 3) Identification and selection of biological endpoints, 4) Definition and characterization of monitoring instrumentation and procedures. Attendance by the public will be limited to space available.

Dr. Gio B. Gori, Deputy Director, Division of Cancer Cause and Prevention, National Cancer Institute, Building 31, Room 11A03, Bethesda, Maryland, 20014, (301) 496-6616, will provide additional information.

Dated: August 17, 1976.

SUZANNE L. FREMEAUX,
Committee Management Officer,
National Institute of Health.

[FR Doc.76-25693 Filed 9-1-76;8:45 am]

WORKSHOP ON THE REVIEW OF THE FIELD OF IMMUNOLOGY FOR APPLICATION TO CANCER CAUSE AND PREVENTION

Amendment of Meeting

Notice is hereby given of a change in the meeting time and place of the workshop, sponsored by NCI, which was published in the FEDERAL REGISTER on July 23, 1976 (41 FR 30378).

This workshop was to have convened at 9:00 a.m. to 5:00 p.m. on September 27, 1976, Landow Building, Conference room C-410, but has been changed to 10:30 a.m. to 5:30 p.m. on September 27, 1976, Building 31, Conference room 8.

The meeting will be open to the public from 10:30 a.m. to 5:30 p.m.

Dated: August 23, 1976.

SUZANNE L. FREMEAUX,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76-25688 Filed 9-1-76;8:45 am]

AWARD OF RESEARCH AND TRAINING GRANTS

General Announcement

The National Heart, Lung, and Blood Institute announces its intent to exercise its authority to award certain research and training grants in areas of high program interest which have been favorably recommended for support after review for scientific merit. Authority for such action has been granted under Section 419A of the Public Health Service Act (42 U.S.C. 287h), as amended by the Health Research and Health Services Amendments of 1976. Such provision authorizes the Director of the Institute to award certain grants in amounts not to exceed \$35,000 in direct costs after appropriate review for scientific merit but without Council review. Consideration for such award will be given to domestic grants for which:

1. The amount recommended for each budget period does not exceed \$35,000 for direct costs,

2. The scientific merit assigned by the initial review group would have allowed for funding at the last Council meeting or, it is expected, would allow funding at the forthcoming Council meeting,

3. No policy problems have been identified, e.g., ethical issues, hazardous experiments.

Such awards shall be subject to all other applicable requirements and policies governing research and training grants, including the regulations set forth in 42 CFR Part 52.

Dated: August 19, 1976.

DONALD S. FREDRICKSON,
Director, National Institutes
of Health.

[FR Doc.76-25687 Filed 9-1-76;8:45 am]

NATIONAL ADVISORY ALLERGY AND INFECTIOUS DISEASES COUNCIL

Amended Notice of Meeting

Notice is hereby given of changes in the meeting dates and times of the "closed" and "open" portions of the meeting of the National Advisory Allergy and Infectious Diseases Council, National Institute of Allergy and Infectious Diseases, which was published in the FEDERAL REGISTER on August 10, 1976 (41 FR Doc. 76-23192-155).

The Council was to have convened on September 30 and adjourned on October 2, 1976 but has been changed to adjourn on October 1, 1976.

This meeting will be open to the public on September 30 from 12:30 p.m. until recess, and on October 1 from 8:30 a.m. until 12 noon, and will be closed to the public on September 30 from 9:00 a.m. until 12 noon, and on October 1 from 12:30 p.m. until adjournment.

Dated: August 23, 1976.

SUZANNE L. FREMEAUX,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76-25689 Filed 9-1-76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales Registration

[Docket No. N-76-625]

ALMOND HEIGHTS PARK ET AL.

Hearing

In the matter of: Almond Heights Park, Dixie Properties Corporation, Inc. and Sims R. Davies, Jr., President, OILSR No. 0-4226-52-86, No. 76-224-IS.

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(b). Notice is hereby given that: 1. Almond Heights Park, Dixie Properties Corporation, Inc. and Sims R. Davies, Jr., President, authorized agent and officers, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. 90-448) (15 U.S.C. 1710 et seq.) received a Notice of Proceedings and Opportunity for Hearing issued July 30, 1976, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Almond Heights Park, located in Washington County, Utah, contain untrue statements of material fact or omit to state material facts required to be stated therein or necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received August 18, 1976, in response to the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d), it is hereby ordered, That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Salt Lake City, Utah, at a place to be determined, on October 8, 1976 at 10 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10274, Washington, D.C., 20410 on or before September 17, 1976.

6. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45 (b)(1).

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: August 25, 1976.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc. 76-25785 Filed 9-1-76; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 76-164]

EQUIPMENT, CONSTRUCTION, AND MATERIALS

Approval Notice

1. Certain laws and regulations (46 CFR Chapter I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from June 8, 1976 to June 24, 1976 (List No. 16-76). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of Title 46, United States Code, section 1333 of Title 43, United States Code, and section 198 of Title 50, United States Code. The Secretary of Transportation has delegated authority to the Comman-

dant, U.S. Coast Guard with respect to these approvals (49 CFR 1.46(b)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction, and materials are set forth in 46 CFR Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner cancelled or suspended by proper authority.

DAVITS FOR MERCHANT VESSELS

Approval No. 160.032/204/0, Type ORD/DHM fixed gravity davit; approved for a maximum working load of 16,350 lbs. (8,175 lbs. per arm) using one-part falls; identified by Schat Davits, Ltd. general arrangement drawing F102819A (undated) and drawing list D402087A (Part 2) (undated), manufactured by Watercraft America, Inc., P.O. Box 307, Mims, Florida 32754, effective June 17, 1976.

Approval No. 160.032/206/0, Type SS 5000 survival capsule launching system (winch-type); approved as an alternate to a lifeboat davit for a maximum working load of 17,000 lbs. on a single-part fall; identified by general arrangement drawing SS 5000, dated April 8, 1976 and drawing list dated June 9, 1976, electrical components determined suitable for use in Class I, Group D hazardous locations as defined by 46 CFR 111.80-5, approved for installation with Lake Shore, Inc. Model LS-1711E lifeboat winch (Approval 160.015/111/0 for use on artificial islands, fixed structures, and drilling rigs, both self-propelled and nonself-propelled, manufactured by Whittaker Corporation, 5159 Baltimore Drive, La Mesa, California 92041, effective June 17, 1976.

LIFE PRESERVERS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD FOR MERCHANT VESSELS

Approval No. 160.055/105/0, adult X-large-non-standard cloth covered unicellular plastic foam life preserver constructed in accordance with U.S. Coast Guard Specification Subpart 160.055, drawing No. RRV-150 dated February 2, 1975, bill of materials dated January 23, 1975, Coast Guard letter, file No. 5946/160.055/105 dated April 14, 1975 and Coast Guard letter, file No. 5946/160.055/105 dated June 23, 1976, Type V PFD, approved only for use by persons engaged in commercial white water service within the U.S.A., manufactured by Stearns Manufacturing Company, P.O. Box 1498, St. Cloud, Minnesota 56301, effective June 24, 1976. (It supersedes Approval No. 160.055/105/0 dated May 12, 1975 to show minor change.)

Approval No. 160.055/106/0, adult medium-non-standard cloth covered unicellular plastic foam life preserver constructed in accordance with U.S. Coast Guard Specification Subpart 160.055, drawing No. RRV-150 dated February 2, 1975, bill of materials dated January 23, 1975, Coast Guard letter, file No. 5946/160.055/105 dated April 14, 1975 and

Coast Guard letter, file No. 5946/160.055/105 dated June 23, 1976, Type V PFD, approved only for use by persons engaged in commercial white water service within the U.S.A., manufactured by Stearns Manufacturing Company, P.O. Box 1498, St. Cloud, Minnesota 56301, effective June 24, 1976. (It supersedes Approval No. 160.055/106/0 dated May 12, 1975 to show minor change.)

Approval No. 160.055/115/0, adult, Model No. 601, vinyl coated unicellular plastic foam life preserver, manufactured in accordance with U.S.C.G. Specification Subpart 160.055, Cal-June drawing No. 601 dated June 21, 1976 and bill of materials dated May 21, 1976, Type I PFD, manufactured by Cal-June Corporation, P.O. Box 9551, North Hollywood, California 91609, effective June 21, 1976.

Approval No. 160.055/116/0, child, Model No. 603, vinyl coated unicellular plastic foam life preserver, manufactured in accordance with U.S.C.G. Specification Subpart 160.055, Cal-June drawing No. 603 dated June 21, 1976 and bill of materials dated May 21, 1976, Type I PFD, manufactured by Cal-June Corporation, P.O. Box 9551, North Hollywood, California 91609, effective June 21, 1976.

BUOYANT VESTS, UNICELLULAR POLYETHYLENE FOAM ADULT AND CHILD

Approval No. 160.060/25/0, adult, Model No. AY-2, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.060 and UL/MD report file No. MQ 147, Type II PFD, manufactured by Buddy Schoellkopf Products, Inc., 4949 Joseph Hardin Drive, Dallas, Texas 75236, for Red Head Brand Corporation, 4100 Platinum Way, Dallas, Texas 75207, effective June 24, 1976.

Approval No. 160.060/26/0, child medium, Model No. CYM-2, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.060 and UL/MD report file No. MQ 147, Type II PFD, manufactured by Buddy Schoellkopf Products, Inc., 4949 Joseph Hardin Drive, Dallas, Texas 75236, for Red Head Brand Corporation, 4100 Platinum Way, Dallas, Texas 75207, effective June 24, 1976.

Approval No. 160.064/27/0, child small, Model No. CYS-2, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.060 and UL/MD report file No. MQ 147, Type II PFD, manufactured by Buddy Schoellkopf Products, Inc., 4949 Joseph Hardin Drive, Dallas, Texas 75236, for Red Head Brand Corporation, 4100 Platinum Way, Dallas, Texas 75207, effective June 24, 1976.

MARINE BUOYANT DEVICE

Approval No. 160.064/435/0, adult X-large, Model No. ACG 800, vinyl dipped unicellular plastic foam "Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 178, Type III PFD, manufactured by Fabronics, Inc., West Austin Street, Tolono, Illinois

61880., for American Marine Products, Inc., 240 W. Shore Drive, Hinsdale, Illinois 60521, formerly American Cotton Yarns, Inc., effective June 22, 1976. (It supersedes Approval No. 160.064/435/0 dated October 8, 1974 to show change of name of distributor.)

Approval No. 160.064/436/0, adult large, Model No. ACG 700, vinyl dipped unicellular plastic foam "Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 178, Type III PFD, manufactured by Fabrionics, Inc., West Austin Street, Tolono, Illinois 61880, for American Marine Products, Inc., 240 W. Shore Drive, Hinsdale, Illinois 60521, formerly American Cotton Yarns, Inc., effective June 22, 1976. (It supersedes Approval No. 160.064/436/0 dated October 8, 1974 to show change of name of distributor.)

Approval No. 160.064/437/0, adult medium, Model No. ACG 650, vinyl dipped unicellular plastic foam "Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 178, Type III PFD, manufactured by Fabrionics, Inc., West Austin Street, Tolono, Illinois 61880, for American Marine Products, Inc., 240 W. Shore Drive, Hinsdale, Illinois 60521, formerly American Cotton Yarns, Inc., effective June 22, 1976. (It supersedes Approval No. 160.064/437/0 dated October 8, 1974 to show change of name of distributor.)

Approval No. 160.064/656/0, adult medium, Model No. 1000, cloth covered unicellular plastic foam "Sailing Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 78, factory location: 3500 South Morgan Street, Chicago, Illinois 60609, Type III PFD, manufactured by American Marine Products, Inc., 240 Shore Drive, Hinsdale, Illinois 60521, effective June 21, 1976. (It supersedes Approval No. 160.064/656/0 dated January 7, 1976 to show change of factory location.)

Approval No. 160.064/657/0, adult large Model No. 2000, cloth covered unicellular plastic foam "Sailing Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 78, factory location: 3500 South Morgan Street, Chicago, Illinois 60609, Type III PFD, manufactured by American Marine Products, Inc., 240 Shore Drive, Hinsdale, Illinois 60521, effective June 21, 1976. (It supersedes Approval No. 160.064/657/0 dated January 7, 1976 to show change of factory location.)

Approval No. 160.064/691/0, child medium, Model No. ACG 400, vinyl dipped unicellular plastic foam "Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 178, Type III PFD, manufactured by Fabrionics, Inc., West Austin Street, Tolono, Illinois 61880, for American Marine Products, Inc., 240 W. Shore Drive, Hinsdale, Illinois 60521, formerly American Cotton Yarns, Inc., effective June 22, 1976. (It

supersedes Approval No. 160.064/691/0 dated October 8, 1974 to show change of name of distributor.)

Approval No. 160.064/820/0, adult small, Model No. CG 650, cloth covered unicellular plastic foam "Water Ski Vest or Sailing Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 178, factory location: 3500 South Morgan Street, Chicago, Illinois 60609, Type III PFD, manufactured by American Marine Products, Inc., 240 Shore Drive, Hinsdale, Illinois 60521, effective June 21, 1976. (It supersedes Approval No. 160.064/820/0 dated January 21, 1975 to show change of factory location.)

Approval No. 160.064/821/0, adult medium, Model No. CG 1500, cloth covered unicellular plastic foam "Water Ski Vest or Sailing Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 178, factory location: 3500 South Morgan Street, Chicago, Illinois 60609, Type III PFD, manufactured by American Marine Products, Inc., 240 Shore Drive, Hinsdale, Illinois 60521, effective June 21, 1976. (It supersedes Approval No. 160.064/821/0 dated January 21, 1975 to show change of factory location.)

Approval No. 160.064/822/0, adult large, Model No. CG 2500, cloth covered unicellular plastic foam "Water Ski Vest or Sailing Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 178, factory location: 3500 South Morgan Street, Chicago, Illinois 60609, Type III PFD, manufactured by American Marine Products, Inc., 240 Shore Drive, Hinsdale, Illinois 60521, effective June 21, 1976. (It supersedes Approval No. 160.064/822/0 dated January 21, 1975 to show change of factory location.)

Approval No. 160.064/870/0, adult, Model No. FJ-10, cloth covered unicellular plastic foam "Floater Jacket", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 178, factory location: 3500 South Morgan Street, Chicago, Illinois 60609, Type III PFD, manufactured by American Marine Products, Inc., 240 Shore Drive, Hinsdale, Illinois 60521, effective June 21, 1976. (It supersedes Approval No. 160.064/870/0 dated June 2, 1975 to show change of factory location.)

Approval No. 160.064/871/0, adult, Model No. FJ-15, cloth covered unicellular plastic foam "Floater Jacket", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 178, factory location: 3500 South Morgan Street, Chicago, Illinois 60609, Type III PFD, manufactured by American Marine Products, Inc., 240 Shore Drive, Hinsdale, Illinois 60521, effective June 21, 1976. (It supersedes Approval No. 160.064/871/0 dated June 2, 1975 to show change of factory location.)

Approval No. 160.064/872/0, adult, Model No. FJ-20, cloth covered unicellular plastic foam "Floater Jacket", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 178, factory loca-

tion: 3500 South Morgan Street, Chicago, Illinois 60609, Type III PFD, manufactured by American Marine Products, Inc., 240 Shore Drive, Hinsdale, Illinois 60521, effective June 21, 1976. (It supersedes Approval No. 160.064/872/0 dated June 2, 1975 to show change of factory location.)

Approval No. 160.064/873/0, adult, Model No. FJ-5, cloth covered unicellular plastic foam "Floater Jacket", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 178, factory location: 3500 South Morgan Street, Chicago, Illinois 60609, Type III PFD, manufactured by American Marine Products, Inc., 240 Shore Drive, Hinsdale, Illinois 60521, effective June 21, 1976. (It supersedes Approval No. 160.064/873/0 dated June 2, 1975 to show change of factory location.)

Approval No. 160.064/1107/0, 18 1/2 inch, Model No. A-18, vinyl dipped unicellular plastic foam "Ring Buoy", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 247, factory location: 1633 N. Milwaukee Avenue, Chicago, Illinois 60647, Type IV PFD, manufactured by The Massalite Company, Box 214, Winnetka, Illinois 60093, effective June 23, 1976.

Approval No. 160.064/1108/0, 18 1/2 inch, Model No. AFRB 18 1/2, vinyl dipped unicellular plastic foam "Ring Buoy", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 30, Type IV PFD, manufactured by The Massalite Company, Box 214, Winnetka, Illinois 60093, for Gladding Corporation, Flotation Division, P.O. Box 8277, Station A, Greenville, South Carolina 29604, effective June 23, 1976.

Approval No. 160.064/1125/0, adult, Model No. SSV-700, cloth covered unicellular plastic foam "Kayak/Canoe Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 29, factory locations: Highway 10, Sauk Rapids, Minnesota 56301, and 30th and Division Streets, St. Cloud, Minnesota 56301, Type III PFD, manufactured by Stearns Manufacturing Company, P.O. Box 1498, St. Cloud, Minnesota 56301, effective June 21, 1976.

Approval No. 160.064/1130/0, child medium, Model No. 1400, cloth covered unicellular plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 24, Type III PFD, manufactured by Quality Built Products Company, Inc., 1832 East Commercial Street, Springfield, Missouri 65803, effective June 21, 1976.

Approval No. 160.064/1131/0, adult, Model No. 1400, cloth covered unicellular plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 24, Type III PFD, manufactured by Quality Built Products Company, Inc., 1832 East Commercial Street, Springfield, Missouri 65803, effective June 21, 1976.

Approval No. 160.064/1132/0, adult, Model No. 1400, cloth covered unicellular

lar plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 24, Type III PFD, manufactured by Quality Built Products Company, Inc., 1832 East Commercial Street, Springfield, Missouri 65803, effective June 21, 1976.

Approval No. 160.064/1133/0, adult, Model No. 1400, cloth covered unicellular plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 24, Type III PFD, manufactured by Quality Built Products Company, Inc., 1832 East Commercial Street, Springfield, Missouri 65803, effective June 21, 1976.

Approval No. 160.064/1134/0, adult, Model No. 1400, cloth covered unicellular plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 24, Type III PFD, manufactured by Quality Built Products Company, Inc., 1832 East Commercial Street, Springfield, Missouri 65803, effective June 21, 1976.

Approval No. 160.064/1135/0, 18 1/2 inch, Model No. RB-18, vinyl dipped unicellular plastic foam "Ring Buoy", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 178, Type IV PFD, manufactured by The Massalite Company, Box 214, Winnetka, Illinois 60093, for American Marine Products, Inc., 240 W. Shore Drive, Hinsdale, Illinois 60521, effective June 23, 1976.

Approval No. 160.064/1146/0, adult, Model No. 16760, vinyl dipped unicellular plastic foam "Recreational Boating Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 27, Type III PFD, manufactured by Texas Recreation Corporation, Texas Watercrafters Division, P.O. Drawer 539, Wichita Falls, Texas 76307, for Red Head Brand Corporation, 4100 Platinum Way, Dallas, Texas 75207, effective June 22, 1976.

Approval No. 160.064/1147/0, adult, Model No. 6760, vinyl dipped unicellular plastic foam "Recreational Boating Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 28, Type III PFD, manufactured by Texas Recreation Corporation, Texas Watercrafters Division, P.O. Drawer 539, Wichita Falls, Texas 76307, for Buddy Schoellkopf Products, Inc., 4949 Joseph Hardin Drive, Dallas, Texas 75236, effective June 22, 1976.

Approval No. 160.064/1148/0, adult, Model No. 2232454-552, vinyl dipped unicellular plastic foam "Sail 'N' Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 15, Type III PFD, manufactured by Texas Recreation Corporation, Texas Watercrafters Division, P.O. Drawer 539, Wichita Falls, Texas 76307, for Crawford Manufacturing Company, Third and Decatur Streets, Richmond, Virginia 23261, effective June 22, 1976.

Approval No. 160.064/1149/0, adult, Model No. 2232454-552, vinyl dipped unicellular plastic foam "Sail 'N' Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 15, Type III PFD, manufactured by Texas Recreation Corporation, Texas Watercrafters Division, P.O. Drawer 539, Wichita Falls, Texas 76307, for Crawford Manufacturing Company, Third and Decatur Streets, Richmond, Virginia 23261, effective June 22, 1976.

SAFETY VALVES (POWER BOILERS)

Approval No. 162.001/294/0, safety valve Type 1905; L orifice; carbon steel spring; body and bonnet material specification ASTM A-216, Grade WCB; 3" inlet and 4" outlet 150 lbs. ANSI flanges, maximum temperature 450° F., maximum pressure 235 p.s.i.g., manufactured by DRESSER, Industrial Valve & Instrument Division, P.O. Box 1430, Alexandria, Louisiana 71301, effective June 24, 1976.

Approval No. 162.001/295/0, safety valve Type 1905; P orifice; carbon steel spring; body and bonnet material specification ASTM A-216, Grade WCB; 3" inlet and 4" outlet 150 lb. ANSI flanges, maximum temperature 450° F., maximum pressure 235 p.s.i.g., manufactured by DRESSER, Industrial Valve & Instrument Division, P.O. Box 1430, Alexandria, Louisiana 71301, effective June 24, 1976.

FLAME ARRESTERS FOR TANK VESSELS

Approval No. 162.016/30/2, Oceco Type E21B flame arrester, cast iron body, fixed bank assembly, aluminum arrester plates, bolted end covers, approved for sizes 3", 4", 6", 8", and 10", formerly with extensible bank assembly, dwg. No. HOC-195-A, manufactured by The Johnston & Jennings Company, 4700 West Division Street, Chicago, Illinois 60651, effective June 17, 1976. (It is an extension of Approval No. 162.016/30/2 dated May 19, 1971.)

PRESSURE VACUUM RELIEF VALVES FOR TANK VESSELS

Approval No. 162.017/63/0, Morrison Fig. 153B pressure-vacuum relief valve, atmospheric pattern, weight-loaded pressure and vacuum poppets, all brass construction, dwg. B-4584-0, dated May 24, 1961, revised May 17, 1976 and B-4585-0, revised May 18, 1976, approved for size 2 1/2", body material—ASTM B-584 Alloy #836, manufactured by Morrison Brothers Company, Dubuque, Iowa 52001, effective June 17, 1976. (It is an extension of Approval No. 162.017/63/0 dated June 25, 1971.)

BACKFIRE FLAME CONTROL, GASOLINE ENGINES; FLAME ARRESTERS; FOR MERCHANT VESSELS AND MOTORBOATS

Approval No. 162.041/169/1, Model 980033 backfire flame arrester, "Lyfanite" finished aluminum body and elements, 5/16" diameter base, surface finish has been changed from anodized gold to "Lyfanite", base height raised from 0.69 in. to 0.82 in., manufactured by Outboard Marine Corporation, 3145

Central Avenue, Waukegan, Illinois 60085, effective June 8, 1976. (It supersedes Approval No. 162.041/169/0 dated March 8, 1974.)

Dated: August 25, 1976.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Merchant Marine Safety.

[FR Doc.76-25727 Filed 9-1-76;8:45 am]

[CGD 76 163]

EQUIPMENT, CONSTRUCTION, AND MATERIALS

Approval Notice

1. Certain laws and regulations (46 CFR Chapter I) require that various items of lifesaving, firefighting and miscellaneous equipment construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from May 13, 1976 to June 8, 1976 (List No. 15-76). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of Title 46, United States Code, section 1333 of Title 43, United States Code, and section 198 of Title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.46(b)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction, and materials are set forth in 46 CFR Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner cancelled or suspended by proper authority.

LIFEBOAT WINCHES FOR MERCHANT VESSELS

Approval No. 160.015/89/0, Type W-70-P lifeboat winch; approval limited to mechanical components only, and for a maximum working load of 7,000 pounds pull at the drums (3,500 pounds per fall); identified by general arrangement drawing No. WA-9089, Rev. A dated May 17, 1966, and drawing list dated October 4, 1966, manufactured by Carroll Engineering Company, 313 State Street, Box 711, Perth Amboy, New Jersey 08862, effective June 1, 1976. (It is an extension of Approval No. 160.015/89/0 dated August 24, 1971.)

Approval No. 160.015/90/0, Type CW-14 lifeboat winch, approval is limited to mechanical components only, and for a

maximum working load of 12,500 pounds pull at the drums (6,250 pounds per fall), identified by general arrangement drawing No. WA-9114, Rev. A dated July 22, 1966, or No. WA-9115, Rev. A dated July 25, 1966, and drawing list dated September 23, 1966, galvanic protection of aluminum gear case requires assembly with stainless steel bolts, nuts, washers, and threaded inserts, manufactured by Carroll Engineering Company, 313 State Street, Box 711, Perth Amboy, New Jersey 08862, effective June 1, 1976. (It is an extension of Approval No. 160.015/90/0 dated August 23, 1971.)

SEA ANCHORS, LIFEBOAT

Approval No. 160.019/15/0, Sea Anchor Model No. 929, U.S.C.G. drawing No. MMI-562 and Specification dated November 1, 1943, revised August 24, 1944 and Company drawing dated August 10, 1971, made with a nylon, vinyl coated fabric conforming to MIL-C-20696, Type II, Class 2, yellow, webbing is 2" polypropylene, ultraviolet uninhibited conforming to U.S.C.G. Specifications 160.-002, 160.047, 160.052 and 160.060, manufactured by Cal-June Corporation, P.O. Box 9551, North Hollywood, California 91606, effective June 1, 1976. (It is an extension of Approval No. 160.019/15/0 dated August 25, 1971.)

DAVITS FOR MERCHANT VESSELS

Approval No. 160.032/169/0, gravity davit, Type LG-13-2G, approved for a maximum working load of 13,000 pounds per set (6,500 pounds per arm) using 2-part falls; identified by general arrangement dwg. DA-9080, Rev. A dated July 20, 1966, and drawing list dated September 21, 1966, limited to installation with A-frame inboard connection, manufactured by Carroll Engineering Company, 313 State Street, Box 711, Perth Amboy, New Jersey 08862, effective June 1, 1976. (It is an extension of Approval No. 160.032/169/0 dated August 23, 1971.)

Approval No. 160.032/172/0, gravity davit, Type LG-125-1G, approved for a maximum working load of 12,500 pounds per set (6,250 pounds per arm) using 1-part falls; identified by general arrangement dwg. DA-9099, Rev. B dated August 2, 1966, and drawing list dated September 23, 1966, limited to installations with A-frame inboard connection, manufactured by Carroll Engineering Company, 313 State Street, Box 711, Perth Amboy, New Jersey 08862, effective June 1, 1976. (It is an extension of Approval No. 160.032/172/0 dated August 23, 1971.)

LIFEBOATS

Approval No. 160.035/484/0, 27.89' x 9.74' x 4.07' fibrous glass reinforced plastic (FRP), totally enclosed motor-propelled lifeboat, without radio cabin or searchlight (Class 1), 58-person capacity, identified by general arrangement and instruction plan 8.5EL-1, issue 2, dated March 16, 1976, and 8.5 meter (28 ft.) enclosed lifeboat approved drawing list dated May 27, 1976, 46 CFR 160.035-13 (c) Marking, Weights: Condition "A"=8,700 pounds; Condition "B"=20,045

pounds, manufactured by Watercraft America, Inc., P.O. Box 307, Mims, Florida 32754, effective June 4, 1976.

BUOYS, LIFE, RING, UNICELLULAR PLASTIC

Approval No. 160.050/94/0, 30-inch, coated unicellular plastic foam ring life buoy, manufactured in accordance with U.S.C.G. Specification Subpart 160.050, Massalite Company drawing dated February 20, 1976, dimension and specification of Massalite Company 30-inch ring life buoy dated February 20, 1976, procedure covering production dated February 20, 1976, bill of materials dated February 20, 1976 and description of essential materials dated February 20, 1976, Type IV PFD, manufactured by The Massalite Company, Box 214, Winnetka, Illinois 60093, for Revere Survival Products Company, Inc., 1030 Grand Boulevard, Deer Park, New York 11729, effective June 3, 1976.

Approval No. 160.050/95/0, 24-inch unicellular plastic foam ring lifebuoy, manufactured in accordance with U.S.C.G. Specification Subpart 160.050, Massalite Company drawing, dimensions and specifications of 24-inch buoy, procedure covering production, bill of materials and description of essential materials, all dated February 20, 1976, Type IV PFD, manufactured by The Massalite Company, Box 214, Winnetka, Illinois 60093, for American Marine Products, 240 Shore Drive, Hinsdale, Illinois 60521, effective June 3, 1976.

Approval No. 160.050/96/0, 30-inch unicellular plastic form ring life buoy, manufactured in accordance with U.S.C.G. Specification Subpart 160.050, Massalite Company drawing, dimensions and specifications of 30-inch ring buoy, procedure covering production, bill of materials and description of essential materials, all dated February 20, 1976, Type IV PFD, manufactured by The Massalite Company, Box 214, Winnetka, Illinois 60093, for American Marine Products, 240 Shore Drive, Hinsdale, Illinois 60521, effective June 3, 1976.

WORK VESTS, UNICELLULAR PLASTIC FOAM

Approval No. 160.053/35/0, adult, Model No. IWV-220, cloth covered unicellular plastic foam work vest, manufactured in accordance with U.S.C.G. Specification Subpart 160.053, Stearns Drawing No. IWV-220 dated February 20, 1976, bill of materials dated April 28, 1976 and Coast Guard letters, file No. 5946/160.-053/gen dated March 18, 1975 and file No. 5946/160.053/35 dated June 9, 1976, Type V PFD, manufactured by Stearns Manufacturing Company, P.O. Box 1498, St. Cloud, Minnesota 56301, effective June 8, 1976.

LIFE PRESERVERS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD FOR MERCHANT VESSELS

Approval No. 160.055/102/0, adult, non-standard cloth covered unicellular plastic foam life preserver, manufactured in accordance with U.S.C.G. Specification Subpart 160.055, Coast Guard letters, file No. 5946/160.055/102, dated February 12,

1974, July 14, 1975 and June 7, 1976, Maravia drawing numbers 40-1025 (sheets 1 thru 7), TD-006, TD-007, TD-008, TD-009, TD-011 and TD-015, Type V PFD, approved only for use by persons engaged in commercial white water service within the U.S.A., manufactured by Maravia Corporation, 857 Thornton Street, San Leandro, California 94577, effective June 3, 1976. (It supersedes Approval No. 160.055/102/0 dated December 2, 1975 to show minor modification to construction.)

Approval No. 160.055/107/0, child, non-standard cloth covered unicellular plastic foam life preserver, manufactured in accordance with U.S.C.G. Specification Subpart 160.055, Coast Guard letter file No. 5946/160.055/107 dated June 7, 1976, Maravia drawing numbers 40-1035 (sheets 1 thru 5), TD-017, TD-019, TD-018 and TD-025, Type V PFD, approved only for use by persons weighing 50 to 90 pounds when engaged in commercial white water service within the U.S.A., manufactured by Maravia Corporation, 857 Thornton Street, San Leandro, California 94577, effective June 3, 1976.

Approval No. 160.055/111/0, adult, Model No. 8150, vinyl dipped unicellular plastic foam life preserver, manufactured in accordance with U.S.C.G. Specification Subpart 160.055 and drawing No. 8150/3/76 (2 sheets), Type I PFD, manufactured by Atlantic-Pacific Manufacturing Corporation, 124 Atlantic Avenue, Brooklyn, New York 11201, effective May 25, 1976.

Approval No. 160.055/112/0, child, Model 8151, vinyl dipped unicellular plastic foam life preserver, manufactured in accordance with U.S.C.G. Specification Subpart 160.055 and drawing No. 8151/3/76 (2 sheets), Type I PFD, manufactured by Atlantic-Pacific Manufacturing Corporation, 124 Atlantic Avenue, Brooklyn, New York 11201, effective May 25, 1976.

MARINE BUOYANT DEVICE

Approval No. 160.064/732/0, child small, Model No. 6632, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 47, Type II PFD, manufactured by Medalist Water Sports, 11525 Sorrento Valley Road, San Diego, California 92121, effective May 21, 1976. (It supersedes Approval No. 160.-064/732/0 dated March 31, 1976 to show correct PFD type.)

Approval No. 160.064/1086/0, adult, Model No. CBVS, cloth covered unicellular plastic foam "Boating Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 3, factory location: 912 N. Beverly Drive, Wichita Falls, Texas 76307, Type III PFD, manufactured by Texas Recreation Corporation, Texas Watercrafters Division, P.O. Drawer 539, Wichita Falls, Texas 76307, effective May 25, 1976.

Approval No. 160.064/1087/0, adult, Model No. CBVM, cloth covered unicellular plastic foam "Boating Vest", manu-

factured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 3, factory location: 912 N. Beverly Drive, Wichita Falls, Texas 76307, Type III PFD, manufactured by Texas Recreation Corporation, Texas Watercrafters Division, P.O. Drawer 539, Wichita Falls, Texas 76307, effective May 25, 1976.

Approval No. 160.064/1088/0, adult, Model No. CBVL, cloth covered unicellular plastic foam "Boating Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 3, factory location: 912 N. Beverly Drive, Wichita Falls, Texas 76307, Type III PFD, manufactured by Texas Recreation Corporation, Texas Watercrafters Division, P.O. Drawer 539, Wichita Falls, Texas 76307, effective May 25, 1976.

Approval No. 160.064/1089/0, adult, Model No. CBVXL, cloth covered unicellular plastic foam "Boating Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 3, factory location: 912 N. Beverly Drive, Wichita Falls, Texas 76307, Type III PFD, manufactured by Texas Recreation Corporation, Texas Watercrafters Division, P.O. Drawer 539, Wichita Falls, Texas 76307, effective May 25, 1976.

Approval No. 160.064/1091/0, adult, Model No. CBVXXL, cloth covered unicellular plastic foam "Boating Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 3, factory location: 912 N. Beverly Drive, Wichita Falls, Texas 76307, Type III PFD, manufactured by Texas Recreation Corporation, Texas Watercrafters Division, P.O. Drawer 539, Wichita Falls, Texas 76307, effective May 25, 1976.

FLOATING ELECTRIC WATER LIGHT

Approval No. 161.010/3/2, Automatic Lite Company, Save-U-Lite, Model WL001 floating electric water light with mounting bracket, manufactured by Automatic Lite Company, 900 N. Iris Avenue, Baltimore, Maryland 21205, effective May 25, 1976. (It supersedes Approval No. 161.010/3/1 dated March 18, 1975 to show revision.)

Approval No. 161.010/5/1, Model S1307 Seastar Distress Marker, floating electric water light, manufactured by Soderberg Manufacturing Company, Inc., 20821 Currier Road, Walnut, California 91789, effective May 26, 1976. (It supersedes Approval No. 161.010/5/0 dated November 4, 1974 to show revision.)

HALON 1301 FIXED FIRE EXTINGUISHING SYSTEM

Approval No. 162.029/7/0, Hallex 1301 Model 8.5, pre-engineered Halon 1301 marine type extinguishing system unit type, identical to that described in Underwriters Laboratories, Inc. report file EX2988 dated September 29, 1975, approved for use on recreational boats and certain other uninspected vessels, manufactured by Automatic Sprinkler Corporation of America, Division of A-T-O Inc., 1000 East Edgerton Road, Cleveland, Ohio 44147, formerly Norris Industries, effective May 13, 1976. (It supersedes Approval No. 162.029/7/0 dated October 20, 1975 to show change of name and address of manufacturer.)

Approval No. 162.029/8/0, Hallex 1301 Model 17, pre-engineered Halon 1301 marine type extinguishing system unit type, identical to that described in Underwriters Laboratories, Inc. report file EX2988 dated September 29, 1975, approved for use on recreational boats and certain other uninspected vessels, manufactured by Automatic Sprinkler Corporation of America, Division of A-T-O Inc., 1000 East Edgerton Road, Cleveland, Ohio 44147, formerly Norris Industries, effective May 13, 1976. (It supersedes Approval No. 162.029/7/0 dated October 20, 1975 to show change of name and address of manufacturer.)

Approval No. 162.029/9/0, Hallex 1301 Model 25, pre-engineered Halon 1301 marine type extinguishing system unit type, identical to that described in Underwriters Laboratories, Inc. report file EX2988 dated September 29, 1975, approved for use on recreational boats and certain other uninspected vessels, manufactured by Automatic Sprinkler Corporation of America, Division of A-T-O Inc., 1000 East Edgerton Road, Cleveland, Ohio 44147, formerly Norris Industries, effective May 13, 1976. (It supersedes Approval No. 162.029/8/0 dated October 20, 1975 to show change of name and address of manufacturer.)

Approval No. 162.029/10/0, Hallex 1301 Model 33, pre-engineered Halon 1301 marine type extinguishing system unit type, identical to that described in Underwriters Laboratories, Inc. report file EX2988 dated September 29, 1975, approved for use on recreational boats and certain other uninspected vessels, manufactured by Automatic Sprinkler Corporation of America, Division of A-T-O Inc., 1000 East Edgerton Road, Cleveland, Ohio 44147, formerly Norris Industries, effective May 13, 1976. (It supersedes Approval No. 162.029/9/0 dated October 20, 1975 to show change of name and address of manufacturer.)

Approval No. 164.007/40/0, "Thermal-Fiber Felt" mineral wool type structural insulation identical to that described in National Bureau of Standards Test Report FR 3812 dated July 12, 1972, approved without any other insulating material to meet Class A-60 requirements in a 3 inch thickness with a density of 7 pounds per cubic foot, and a 4 inch thickness with a density of 6 pounds per cubic foot, plant locations: Corsicana, Texas; South Plainfield, New Jersey; Torrance, California; Wabash, Indiana; Tacoma, Washington; Birmingham, Alabama, manufactured by United States Gypsum Company, 1000 East Northwest Highway, Des Plaines, Illinois 60016, effective May 27, 1976. (It supersedes Approval No. 164.007/40/0

STRUCTURAL INSULATIONS FOR MERCHANT VESSELS

Approval No. 164.007/40/0, "Thermal-Fiber Felt" mineral wool type structural insulation identical to that described in National Bureau of Standards Test Report FR 3812 dated July 12, 1972, approved without any other insulating material to meet Class A-60 requirements in a 3 inch thickness with a density of 7 pounds per cubic foot, and a 4 inch thickness with a density of 6 pounds per cubic foot, plant locations: Corsicana, Texas; South Plainfield, New Jersey; Torrance, California; Wabash, Indiana; Tacoma, Washington; Birmingham, Alabama, manufactured by United States Gypsum Company, 1000 East Northwest Highway, Des Plaines, Illinois 60016, effective May 27, 1976. (It supersedes Approval No. 164.007/40/0

dated April 11, 1976 to show minor change.)

Dated: August 25, 1976.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Merchant Marine Safety.

[FR Doc. 76-25728 Filed 9-1-76; 8:45 am]

Federal Aviation Administration AIRCRAFT SEPARATION ASSURANCE PROGRAM

The purpose of this notice is to announce a Consultative Planning Conference on the FAA Aircraft Separation Assurance Program. (The establishment of annual consultative planning procedures was originally documented and publicized in 33 FR 1905, dated December 24, 1968, and 35 FR 17798, dated November 19, 1970.)

The Department of Transportation announces that this two-day conference will commence at 9:00 a.m. on September 27, 1976, in conference room 2230, DOT Headquarters Building, 400 7th Street, SW., Washington, D.C. 20590.

The meeting will be open to the public and persons who wish to present views on the topics to be discussed may do so by submitting their views in writing to:

Associate Administrator for Policy Development and Review (Acting), Attention: ASP-10, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591.

In addition, persons who wish to attend the meeting may submit their written views at that time or following the meeting not later than a date which will be given at the meeting.

The FAA Aircraft Separation Assurance Program is a broad exploratory and development program involving many aspects which are of interest to most persons and organizations in the aviation community and the general public. Some of these aspects may have a substantial economic impact on those in aviation and/or the general taxpayer. The main purpose of this conference is to present to and to solicit comments from the aviation community and the general public on what the FAA is doing, considering, developing, and exploring to increase separation assurance.

Topics: The following topics will be discussed as they pertain to the Aircraft Separation Assurance Program:

1. Procedural Improvements
2. Regulatory Changes
3. Hardware Systems
4. Planning Standards
5. Systems Improvements

F. A. MEISTER,
Associate Administrator for Policy
Development and Review (Acting).

AUGUST 25, 1976.

[FR Doc. 76-25822 Filed 9-1-76; 8:45 am]

National Highway Traffic Safety
Administration

JEEP CORP. ET AL.

Denials of Petitions to Commence
Rulemaking

This notice sets forth the reasons for denial of three petitions for rulemaking to initiate or amend Federal motor vehicle safety standards promulgated under authority of section 103 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1391 et seq.). This notice is published in accordance with section 124 of the Act, which provides that the National Highway Traffic Safety Administration must grant or deny such petitions within 120 days, and "If the Secretary denies such petition he shall publish in the FEDERAL REGISTER his reasons for such denial" (section 124(d)).

Jeep Corporation (March 9, 1976). Petition to amend Standard No. 301-75, *Fuel System Integrity*, to permit the removal of "work-performing accessories" before performing compliance testing pursuant to the standard. Jeep's petition was denied because such an amendment would violate section 108 of the Motor Vehicle and Schoolbus Safety Amendments of 1974 (15 U.S.C. 1392 note), which directed that the fuel system integrity standard take effect in the form in which it has been most recently published.

Truck Safety Equipment Institute (TSEI) (May 1, 1976). Petition to amend Standard No. 108, *Lamps, Reflective Devices, and Associated Equipment*, to raise the maximum permissible candlepower output limitation for rear-mounted single compartment lighting devices. TSEI's petition was denied because the existing limit represents the maximum desirable in terms of ocular comfort, and any higher value limit would create driver distraction from glare, with resulting annoyance or danger.

Society of the Plastics Industry (November 19, 1975). Petition to amend Standard No. 205, *Glazing Materials*, to permit the use of the DOT symbol and code number by glazing fabricators in satisfaction of their responsibility to certify compliance. The Society's petition was denied because the NHTSA has experienced no difficulty in distinguishing the manufacturer's from the fabricator's certification and marking responsibilities and could not justify amendment of the standard.

(Sec. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); Sec. 106 Pub. L. 93-492, 88 Stat. 1482 (15 U.S.C. 1410); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on August 27, 1976.

ROBERT L. CARTER,
Associate Administrator, Motor
Vehicle Programs.

[FR Doc. 76-25729 Filed 9-1-76; 8:45 am]

CIVIL AERONAUTICS BOARD

[Order 76-8-151; Dockets 29716, 22859, 26838]

ALASKA AIRLINES, INC.

General Increase in Air Freight Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 30th day of August, 1976.

By tariff revisions¹ marked to become effective September 1, 1976, Alaska Airlines, Inc. (Alaska) proposes to increase all States-Alaska and most intra-Alaska² bulk general and specific commodity rates by approximately 10 percent. The minimum charge per shipment is not increased. Corresponding priority general and specific commodity rates are increased by an equal percentage, while certain specific commodity rates are being canceled.

In support of its proposal, Alaska asserts, inter alia, that it is attempting through this rate increase to recover substantial cost increases and to compensate for deficient rate levels; that it estimates the revenue impact of this increase at \$481,000 annually; and that without this rate increase it will suffer an estimated freight operating loss of over \$153,000 during the forecast year ending September 1977. Further revenue will be generated through cancellation of specific commodity rates in selected markets because, Alaska contends, there is no empty capacity in these markets, the rates do not generate additional traffic, and therefore they only serve to dilute existing revenue. Alaska estimates that its return on investment (ROI) for freight operations, even with the proposed increase, would only be about 6.1 percent, based on the year ended March 31, 1976, substantially below that considered adequate by the Board.

Based upon Alaska's reported financial results for the year ended June 1976, reconstructed to include a full year's effect of both the proposed freight rate increase and the freight rate increase permitted to go into effect on March 1, 1976, and a cost-inflation factor, the carrier's regulatory ROI (before subsidy) would be about 8.2 percent, significantly below the 12.35 percent found by the Board to be reasonable for local service carriers.

The proposed standard service rates between Seattle/Tacoma and Anchorage, Fairbanks, Juneau, and Ketchikan are already under the scope of the Domestic Air Freight Rate Investigation (DAFRI), Docket 22859, and the proposed priority rates and charges come within the scope of the Priority Reserved Air Freight Rates Investigation (PRAFRI), Docket 26838, and their lawfulness will be determined in those proceedings. Upon con-

¹Revisions to Airline Tariff Publishing Company, Agent, Tariff C.A.B. No. 169.

²Rates between points served under contract by air taxi operators are not increased.

sideration of all relevant factors, the Board finds that the proposal to increase bulk general commodity rates and charges as they relate to certain exception-rated traffic, may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and should be investigated. Furthermore, the Board concludes that the aforementioned increases as they relate to exception-rated traffic should be suspended pending investigation.

Alaska currently has effective exception ratings to the general commodity rates of 200 percent applicable on boats, human remains, and uncrated self-propelled vehicles. In the lower 48 States, most carriers do not publish premium ratings on boats or other vehicles, and the few carriers that do, generally publish lower ratings than Alaska. The other carriers' premiums on human remains are also lower. The high premiums charged by Alaska have not been justified and consequently the increased rates will be suspended.³ This action is consistent with the Board's suspension of similar increases recently proposed by Wien Air Alaska, Inc., Order 76-7-124, July 30, 1976.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered, That: 1. An investigation is instituted to determine whether the rates, charges, and provisions described in Appendix A hereto, and rules, regulations, and practices affecting such provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to determine and prescribe the lawful rates, charges, and provisions and rules, regulations, or practices affecting such rates, charges, and provisions;

2. Pending hearing and decision by the Board, the rates, charges, and provisions described in Appendix A hereto are suspended and their use deferred to and including November 29, 1976, unless otherwise ordered by the Board; and that no changes be made therein during the period of suspension, except by order or special permission of the Board;

3. The proceeding herein designated Docket 29716 be assigned for hearing before an administrative law judge of the Board at a time and place hereafter to be designated; and

4. Copies of this order shall be filed with the tariff and served upon Alaska Airlines, Inc., which is hereby made a party to Docket 29716.

³If Alaska can demonstrate that there are considerations peculiar to Alaskan operations which can justify such premiums, the carrier is, of course, free to refile.

This order will be published in the
FEDERAL REGISTER.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

APPENDIX A—TARIFF C.A.B. No. 169, ISSUED
BY AIRLINE TARIFF PUBLISHING COMPANY,
AGENT

All increased rates, charges and provisions
applicable thereto on the following pages
(except from and to points in Canada) insofar
as they would be used in determination of
rates and minimum charges in conjunction
with exception ratings to General Commu-
nity rates in Item Nos. 300, 340 and 400 on
behalf of "AS".

17th Revised Page 178
19th Revised Page 179
17th Revised Page 181
17th Revised Page 182
20th Revised Page 183
20th Revised Page 184
16th and 17th Revised Pages 185
16th and 17th Revised Pages 186
13th Revised Page 187

[FR Doc.76-25768 Filed 9-1-76; 8:45 am]

[Order 76-8-149; Docket 29539]

DAVIS AGENCY, INC.

Stand-by and "Early Bird Special" Charter Fares

Adopted by the Civil Aeronautics
Board at its office in Washington, D.C.
on the 27th day of August, 1976.

By complaint received July 23, 1976,
Pan American World Airways, Inc. (Pan
American) requests suspension and in-
vestigation of certain stand-by and
"Early Bird Special" fares presently in
effect¹ offered by Davis Agency, Inc.
(Davis), an indirect air carrier operating
overseas military personnel charters under
Part 372 of the Board's special regu-
lations.²

In support of its request, Pan Ameri-
can contends that both Davis' "Early
Bird Special" fare, with its 166-pound
baggage allowance,³ and its stand-by-
fare, discounted up to 40 percent from
scheduled-service military fares, will di-
vert traffic from Pan American and other
scheduled service carriers. Pan American
claims the passenger transporting 166

pounds of baggage would receive an un-
justified 50 percent discount on excess-
baggage charges⁴ since, while the Davis
"Early Bird" fare exceeds the regular
fare by \$50, regular-fare passengers
would normally pay \$100 in excess-bag-
gage charges for an equivalent amount
of baggage.

Pan American challenges Davis' con-
tention that the 166-pound baggage
allowance is justified by the required
advance reservation and two-hour ad-
vance check-in provisions, which Davis
alleges will avoid the weight and balance
problems it presently encounters. The
advance check-in requirement is not sig-
nificant, Pan American contends, since
late check-ins do not present any signif-
icant problem and, in any event, weight
and balance calculations cannot be final-
ized until all passengers have checked
in. Furthermore, in light of Davis' state-
ment that its transatlantic flights fre-
quently "weight-out," Pan American con-
tends that the offering of a 166-pound
free-baggage allowance to some but not
all passengers is unjustly discriminatory
and will aggravate the tendency for
flights to "weight-out"; that the off-
airport ticket-purchase requirement in-
creases the chances that an agent's fee
will be paid and shifts Davis' own ticket-
ing costs; and that the excess-baggage
allowance is an attempt by Davis to un-
lawfully and explicitly cater to travelers
moving at government expense on perma-
nent change-of-station orders.

Pan American alleges that Davis' separate stand-by fares are unlawful
since they hold out to the public a type of
service which might not be readily avail-
able due to Davis' characteristically high
load factors; that Davis does not operate
nearly the number of flights it advertises,
thereby increasing the chances of strand-
ing stand-by passengers for long periods
or of forcing them to pay higher fares;
and that if Davis seeks to provide extra
capacity to increase chances of accom-
modating stand-by traffic, its costs will
also increase and its overall load factor
will decline.

In its answer, Davis opposes the com-
plaint in general and requests its dismis-
sal on procedural and substantive
grounds. Davis regards the complaint as
inexplicable, since it produces business
worth millions for Pan American which
presently is Davis' largest supplier of
charter aircraft, and suggests that the
complaint is one more element in Pan
American's historical opposition to mili-
tary charters. In addition, Davis con-
tends that the special fares are economic;
and that Pan American has demon-
strated no injury to itself or the public in-
terest from the fares. Procedurally, the com-
plaint is deficient, Davis contends, since
the carrier demonstrates no reasons suf-
ficient to warrant the Board's consider-

ation of an untimely request dealing with
existing tariff provisions.

Specifically, Davis argues that the
"Early Bird Special" fare is not di-
versionary since that fare, in effect,
charges the passenger 50 cents per pound
for 100 pounds of "excess baggage," a
rate which is higher than its former
excess-baggage charge of \$5 per piece.
Thus, any diversion would have already
occurred under its old per-piece rate. The
fare is allegedly not unjustly discrimi-
natory since it is open to all eligible users
of military charters; the difference in
baggage allowances is similar to that ex-
isting in first- and economy-class sched-
uled service; and the fare is sold subject
to substantially different conditions from
those applying to other military charter
fares. Concerning Pan American's alle-
gation on permanent change-of-station
travel, Davis states that it operates law-
fully and allegations to the contrary
should be directed to the proper forum.
Finally, Davis maintains that the stand-
by fares are not misleading since during
the first six months of 1976, it opened 285
flights, six more than actually adver-
tised, with 3,507 empty seats. Thus, seats
for stand-by travel are available.

Upon consideration of the complaint,
the answer thereto, and other relevant
matters, the Board has determined to
dismiss Pan American's complaint and
deny the relief requested.

Pan American's principal thrust ap-
pears to be that the special fares will
unduly divert traffic from its own sched-
uled service and that of other carriers.
However, the carrier has presented no
data indicating substantial harm to it
arising from the fares. Furthermore,
overseas military personnel charters are
not available to the general public, but
rather are available only to a limited
class of travelers in recognition of spe-
cial national interest considerations, and
have been of restricted availability for
some time. Absent a showing to the con-
trary, which has not been made by the
complainant, it is reasonable to assume
that much of the eligible traffic is pre-
sently moving on such charters and that
opportunities for further diversion from
scheduled services are extremely limited.

Additionally, the terms and level of the
special fares do not appear unreasonable.
While the "Early Bird Special" fare car-
ries a baggage allowance of 166 pounds,
the fare exceeds the regular charter price
of \$50, and the passenger must conform
to certain conditions. Before imple-
mentation of this fare and the recently
imposed excess-baggage charge of \$1 per
pound, passengers wishing to travel with
similar quantities of baggage had to pay
merely \$5 for each piece of excess bag-
gage regardless of its weight. Thus, using
this fare, the passenger pays more for
his baggage than before, and the early
check-in procedures appear to be an
attempt to minimize disruption by large
quantities of baggage being presented for
check-in at the last minute.

The stand-by fares are reasonably dis-
counted at 11.4 to 20.1 percent from the
regular charter fares. We would expect

¹ Pan American contends its complaint is
timely filed with respect to two minor
amendments to two pages in Davis' tariff,
claims it was "unaware" of the original tariff
amendments establishing the special fares,
and requests suspension and investigation
pursuant to section 1002(j)(2) of the Fed-
eral Aviation Act and Rule 505 of the Board's
rules of practice.

² See Appendix, filed as part of the original
documents, for details of the special charter
fares and a comparison of these fares with
other Part 372 fares offered by Davis.

³ Pan American also states it was unable to
locate the 166-pound allowance in Davis' tar-
iff and that, therefore, that provision violates
section 403 of the Act. However, this allow-
ance is clearly set forth in the tariff. See
Davis Agency, Inc., Overseas Military Person-
nel Charter Tariff, C.A.B. No. 1, 3rd and 4th
Revised Pages 13-C and 4th and 5th Revised
Page 13-D.

⁴ For fares other than the "Early Bird Spe-
cial," Davis' present tariffs provide a maxi-
mum free-baggage allowance of 66 pounds,
subject to dimensional restraints, and an ex-
cess-baggage charge of \$1 per round appli-
cable to all fares.

that the typically high load factors associated with charter operations will limit their use; however, it would appear that there will be opportunity for accommodation of some passengers moving on this fare. Finally, we are not persuaded that the conditions under which the fare is offered are misleading, since they are clearly stated in the effective tariff.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, and particularly sections 204(a), 403, 404, and 1002 thereof, it is ordered, That: The complaint of Pan American Airlines, Inc., in Docket 29539 be and hereby is dismissed.

This order will be published in the Federal Register.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.76-25767 Filed 9-1-76;8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COTTON TEXTILE PRODUCTS FROM THE REPUBLIC OF CHINA

Amending Import Levels

AUGUST 27, 1976.

On December 24, 1975, there was published in the Federal Register (40 FR 59475) a letter dated December 19, 1975 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, implementing those provisions of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of May 21, 1975, as amended, between the Governments of the United States and the Republic of China, which establish specific export limitations on certain cotton and man-made fiber textile products, produced or manufactured in the Republic of China and exported to the United States during the twelve-month period which began on January 1, 1976. A correction of certain of the levels of restraint in the letter of December 19, 1975 was published in the Federal Register on January 5, 1976 (41 FR 814).

As set forth in the letter of December 19, 1975, the levels of restraint are subject to adjustment pursuant to paragraph 8(a) (ii) of the bilateral agreement which provides that specific levels of restraint may exceed current-year limits by up to 6 percent, with the amount of the adjustment being deducted from the applicable level of the succeeding agreement year.

Accordingly, at the request of the Government of the Republic of China and pursuant to the provision of the bilateral agreement referred to above, there is published below a letter of August 27, 1976 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs amending the levels of restraint applicable to cotton textile products in Categories 45/46/47, 50/51 and 60 for the

twelve-month period which began on January 1, 1976.

ALAN POLANSKY,
Chairman, Committee for the
Implementation of Textile
Agreements, and Deputy As-
sistant Secretary for Re-
sources and Trade Assistance.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

AUGUST 27, 1976.

COMMISSIONER OF CUSTOMS,
DEPARTMENT OF THE TREASURY,
Washington, D.C.

DEAR MR. COMMISSIONER: On December 19, 1975, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning January 1, 1976 and extending through December 31, 1976 of cotton and man-made fiber textile products in certain specified categories, produced or manufactured in the Republic of China, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.¹

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, pursuant to paragraph 8(a) (ii) of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of May 21, 1975, as amended, between the Governments of the United States and the Republic of China, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed to amend, effective on September 3, 1976, the levels of restraint established for Categories 45/46/47, 50/51 and 60 to the following:

Category:	Amended 12-mo. level of restraint:
45/46/47 -----	SYE 15,168,140
50/51 -----	doz 776,864
60 -----	doz 48,025

¹ The levels have not been adjusted to reflect any entries made after December 31, 1975.

The actions taken with respect to the Government of the Republic of China and with respect to imports of cotton textile products from the Republic of China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

ALAN POLANSKY,
Chairman, Committee for the Im-
plementation of Textile Agree-
ments, and Deputy Assistant
Secretary for Resources and Trade
Assistance.

[FR Doc.76-25712 Filed 9-1-76;8:45 am]

¹ The term "adjustment" refers to those provisions of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of May 21, 1975, as amended, between the Governments of the United States and the Republic of China which provide, in part, that: (1) within the aggregate and applicable group limits, specific levels of restraint may be exceeded by designated percentages; (2) these levels may be increased for carryover and carryforward up to 11 percent of the applicable category limit; and (3) administrative arrangements or adjustments may be made to resolve minor problems.

MAN-MADE FIBER TEXTILE PRODUCTS FROM MEXICO

Adjusting Import Level

AUGUST 27, 1976.

On May 3, 1976, there was published in the Federal Register (41 FR 18343) a letter dated April 28, 1976 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, implementing those provisions of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of May 12, 1975, as amended, between the Governments of the United States and Mexico, which establish specific export limitations on certain categories for the agreement year which began on May 1, 1976. As set forth in that letter, the levels of restraint are subject to adjustment.

Paragraph 7(a) (ii) of the bilateral agreement provides that carryforward up to 6 percent may be applied to current-year levels of categories subject to specific ceilings and charged against the applicable level of the category in the succeeding agreement year. Such an increase, amounting to 19,062 dozen, was granted for man-made fiber textile products in Category 235 during the agreement year which began on May 1, 1975 (See 40 FR 14429). The purpose of this notice is to advise that that amount is being deducted from the level of restraint of 320,217 dozen established for Category 235 for the agreement year which began on May 1, 1976.

Accordingly, there is published below a letter of August 27, 1976 from the Chairman of the Committee for the Implementation of Textile Agreements directing that entry into the United States for consumption in Category 235 be limited to 301,155 dozen during the twelve-month period which began on May 1, 1976 and extends through April 30, 1977.

Effective date: September 2, 1976.

ALAN POLANSKY,
Chairman, Committee for the
Implementation of Textile
Agreements, and Deputy As-
sistant Secretary for Re-
sources and Trade Assistance,
U.S. Department of Com-
merce.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 27, 1976.

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20229.

DEAR MR. COMMISSIONER: This directive amends, but does not cancel, the directive issued to you on April 28, 1976, which directed you to prohibit entry during the twelve-month period beginning on May 1, 1976 and extending through April 30, 1977, of cotton and man-made fiber textile products in certain specified categories, produced or manufactured in Mexico, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.¹

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, pursuant to paragraph 7(a) (ii) of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agree-

ment of May 12, 1975, as amended, between the Governments of the United States and Mexico, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed to amend, effective on September 2, 1976, the level of restraint established for Category 235 to 301,155 dozen.

The actions taken with respect to the Government of Mexico and with respect to imports of man-made fiber textile products from Mexico have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

ALAN POLANSKY,
Chairman, Committee for the
Implementation of Textile
Agreements, and Deputy As-
sistant Secretary for Re-
sources and Trade Assistance.

[FR Doc.76-25710 Filed 9-1-76; 8:45 am]

COTTON TEXTILE PRODUCTS FROM MALAYSIA

Adjusting Import Levels

AUGUST 27, 1976.

On December 31, 1975, there was published in the FEDERAL REGISTER (40 FR 60108) a letter dated December 22, 1975 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, implementing those provisions of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of January 8 and May 16, 1975, between the Governments of the United States and Malaysia, which establish specific export limitations on certain cotton and man-made fiber textile products, produced or manufactured in Malaysia and exported to the United States during the twelve-month period which began on January 1, 1976. As set forth in that letter, the levels of restraint are subject to adjustment pursuant to paragraphs 5 and 7 which provide, respectively, that within the aggregate and applicable group limits, specific levels of restraint in Group II (Categories 39-63

¹The term "adjustment" refers to those provisions of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of May 12, 1975, as amended, between the Governments of the United States and Mexico which provide, in part, that: (1) within the aggregate and applicable group limits, specific levels of restraint may be exceeded by designated percentages; (2) these levels may be increased for carryover and carryforward up to 11 percent of the applicable category limit; (3) consultation levels may be increased within the aggregate and applicable group limits upon agreement between the two governments; and (4) administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of the agreement.

and 214-240) may be exceeded by 7 percent and that categories having specific levels of restraint may be adjusted for carryover from the previous agreement year up to a designated percentage.

Accordingly, pursuant to the provisions of the bilateral agreement referred to above, there is published below a letter of August 27, 1976 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs amending the level of restraint applicable to cotton textile products in Category 45/46/47 for the twelve-month period which began on January 1, 1976.

ALAN POLANSKY,
Chairman, Committee for the
Implementation of Textile
Agreements, and Deputy As-
sistant Secretary for Re-
sources and Trade Assistance.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS,

August 27, 1976.

COMMISSIONER OF CUSTOMS,
Department of the Treasury
Washington, D.C. 20229

DEAR MR. COMMISSIONER: On December 22, 1975, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning January 1, 1976 and extending through December 31, 1976 of cotton and man-made fiber textile products in certain specified categories, produced or manufactured in Malaysia, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.¹

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, pursuant to paragraphs 5 and 7 of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of January 8 and May 16, 1975, between the Governments of the United States and Malaysia, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed, effective on September 2, 1976 and for the twelve-month period beginning on January 1, 1976 and extending through December 31, 1976, to amend the level of restraint established for Category 45/46/47 to 5,302,920 square yards equivalent.²

The actions taken with respect to the Government of Malaysia and with respect to imports of cotton textile products from Malaysia have been determined by the Com-

¹The term "adjustment" refers to those provisions of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of January 8 and May 16, 1975, between the Governments of the United States and Malaysia which provide, in part, that: (1) within the aggregate and applicable group limits, specific levels of restraint may be exceeded by designated percentages; (2) these same levels may be increased for carryover and carryforward up to 11 percent of the applicable category limit; and (3) administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of the agreement. Appropriate adjustments under the foregoing provisions of the bilateral agreement will be made to you by letter.

²The level of restraint has not been adjusted to reflect any entries made after December 31, 1975.

mittee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

ALAN POLANSKY,
Chairman, Committee for the Im-
plementation of Textile Agree-
ments, and Deputy Assistant
Secretary for Resources and Trade
Assistance, U.S. Department of
Commerce.

[FR Doc.76-25711 Filed 9-1-76; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20682]

CHANGES IN THE ENTERTAINMENT FORMATS OF BROADCAST STATIONS

Development of Policy; Correction

In the Memorandum opinion and order (41 FR 35020) in the above-entitled proceeding, FCC 76-744, Mimeo No. 41942; released July 30, 1976, the following party should appear as having timely filed comments: Citizens Committee To Save WEFM.

Released: August 27, 1976.

FEDERAL COMMUNICATIONS
COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.76-25772 Filed 9-1-76; 8:45 am]

PURAC TASK AREA GROUP ON TECHNICAL STANDARDS

Meeting

In preparation for the next meeting of the Personal Use Radio Advisory Committee (PURAC), the PURAC Task Area group investigating technical standards will meet October 12, 1976 at 9 a.m. in Room 8210 of the Commission's offices at 2025 "M" Street, N.W., Washington, D.C. 20554 to discuss its progress in formulating a report for presentation to the full PURAC. The agenda for this meeting will be as follows:

- I. Opening Remarks of the Task Coordinator.
- II. Task Area Progress Report and Discussion.
- III. Adjournment.

This meeting is open to the public. Individuals wishing to make oral or written presentations should contact the Task Area Coordinator, Mr. Lee Bergren, Midland Engineering, 5460 Buena Vista Drive, Mission, Kansas 66205, prior to the meeting.

FEDERAL COMMUNICATIONS
COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.76-25771 Filed 9-1-76; 8:45 am]

[Docket No. 20418; RM-2346, RM-2727]¹**NEW VHF STATIONS; TELEVISION
TABLE OF ASSIGNMENTS****Order Extending Time To Respond to
Supplemental Comments**

In the matter of petition for rule making to amend Television Table of Assignments to add New VHF Stations in the top 100 markets and to insure that the new stations maximize diversity of ownership, control and programming.

1. This proceeding was begun in order to consider the arguments relating to the making of additional VHF television channel assignments to various communities. The premise of those supporting such assignments is that the considerable need for the service is such that even though it would not be possible to achieve complete compliance with the Commission's engineering standards employed in making television assignments, the assignments nonetheless should be made. The channel proposals suggested for consideration are those set forth in OTP Reports of October 1973 and May 1974.

2. The Group for the Advancement of Television Service ("GATS") filed timely comments in this proceeding in which it urged the assignment of Channel 8 to Johnstown. This channel proposal was not included in OTP's Reports and would create a short-spacing to the existing Channel 8 operation at Lancaster, Pennsylvania. Some months later, after the deadline for filing comments had passed, GATS filed its Petition for Acceptance of Supplemental Comments. The supplemental comments consisted for engineering data in support of the channel proposal which had been made earlier. GATS did not serve a copy of this petition on WGAL Television, Inc., licensee of Channel 8 at Lancaster, which became aware of it only in connection with its efforts to prepare a response to another petition filed by GATS. That petition, RM-2727, also proposed the Channel 8 assignment at Johnstown. WGAL Television has sought an extension of time to September 27, 1976, to respond to the GATS filing in this proceeding and a like extension to respond to its separate petition for rule making.

3. In effect, the Commission has two requests before it. One involves acceptance of GATS' supplemental filing and the other, WGAL Television's request for extension. Although there is some basis for refusing to accept the late-filed supplement by GATS, we do not believe that this result would serve any useful purpose, especially since the issue of the possible assignment to Johnstown was raised in a timely fashion. Except for Johnstown, no additional assignment has been mentioned in any of the other filings in this proceeding. Since the is-

sue of a Johnstown assignment was raised timely and only this proposal falls into this category, inclusion of the proposal need not disrupt the resolution of the issues in this proceeding. We believe it preferable to grant GATS' petition so that its supplemental comments can be accepted and to include its separate petition for rule making as well. Thus, the issue of a Johnstown channel assignment would not have to be divided between this proceeding and another proceeding dealing with its separate petition for rule making. Fairness, of course, requires that WGAL Television have an opportunity to respond to the GATS filing, and its extension request will be granted. Thus, with the grant of this extension, WGAL Television and any other interested party will have until September 27, 1976, to respond to the proposal to assign Channel 8 to Johnstown. The need to bring the issues in this proceeding to a prompt resolution preclude grant of further extensions of time. However, because of the substantial extension now being granted, this should not pose a problem.

4. Therefore, it is ordered, That the subject petitions for acceptance of supplemental comments and for extensions of time are granted and that the petition for rule making to assign Channel 8 to Johnstown is incorporated in this proceeding and the caption changed accordingly.

5. This action is taken pursuant to authority found in sections 4(i), 5(d) (1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules.

Adopted: August 25, 1976.

Released: August 27, 1976.

FEDERAL COMMUNICATIONS
COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.76-25770 Filed 9-1-76; 8:45 am]

FEDERAL MARITIME COMMISSION PORT OF OAKLAND AND SEA-LAND SERVICE, INC.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before September 22, 1976. Any person desiring a hearing on

the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

J. Kerwin Rooney, Port Attorney, Port of Oakland, P.O. Box 2064, 66 Jack London Square, Oakland, California 94604.

Agreement No. T-2270-2, between the Port of Oakland (Port) and Sea-Land Service, Inc., (Sea-Land) modifies the parties' basic agreement providing for Sea-Land's lease of certain premises for general offices and a truck and rail terminal. The purpose of the modification is two-fold: (1) It reduces the size of Parcel Two of the premises from 102,923 square feet to 96,959 square feet; and (2) increases the monthly rentals for all of the parcels covered by the agreement as follows (a) Parcels One and Two from \$2,913.72 to \$4,754.52; (b) Parcel Three from \$1,946.77 (or \$1,823.45 if a railroad track easement is deleted) to \$2,190.12 (or \$2,057.52 if a railroad track easement is deleted); and (c) the truck and rail terminal from \$8,367.00 to \$13,302.46.

Dated: August 30, 1976.

By order of the Federal Maritime Commission.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.76-25781 Filed 9-1-76; 8:45 am]

UNI-WORLD FORWARDING SERVICES ET AL.

Independent Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders pursuant to section 44(a) of the Shipping Act, 1916 (Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

Uni-World Forwarding Services (Vicente Perez, dba), 340 Taylor Avenue, Bronx, NY 10473.

Sea Cargo, Inc., 777 E. Camelback Road, Suite 101, Phoenix, Arizona 85018.
Officers: Edward M. Schmitt, President; Kathleen M. Relyea, Vice President; Walter M. Schmitt, Sec./Treas.

¹ RM-2727, a petition for rule making to assign Channel 8 to Johnstown, Pennsylvania, has been added to this proceeding; see discussion below.

New England Household International, Division of New England Household Moving & Storage, Inc., P.O. Box 1062, Framingham, MA 01701.

Officers: John P. Kelly, Pres./Treas.; Robert W. Kelly, Vice President; M. Alice Gillis, Asst. Vice President; Barbara M. Kelly, Asst. Treas./Asst. Secretary; Charles A. Goglia, Secretary.

Kamino International Transport, Inc., 613 Hindry Avenue, Inglewood, CA 90301.

Officers: Klaus G. Kretschmer, President; Paul S. Cohen, Vice President.

American Disc Ltd. (Paul Cavazos, dba), 9019 Neenah, Morton Grove, IL 60053.

Triple "B" Packers (L.A. Bellevue, dba), 1306 E. Imperial Avenue, El Segundo, CA 90245.

McCann Shipping Company (Nadya McCann, dba), 149 California Street, San Francisco, CA 94111.

Dated: August 30, 1976.

By the Federal Maritime Commission.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.76-25782 Filed 9-1-76; 8:45 am]

FEDERAL POWER COMMISSION

[Docket No. ER76-533]

CENTRAL VERMONT PUBLIC SERVICE CO.

Certification of Proposed Settlement

AUGUST 27, 1976.

Take notice that on August 11, 1976, the Presiding Administrative Law Judge Allen C. Lande certified a Settlement Agreement dated June 25, 1976 in the above-captioned docket. Judge Lande set September 10, 1976 as the date by which comments be filed with the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25750 Filed 9-1-76; 8:45 am]

[Docket No. RP72-142 (PGA76-5a)]

CITIES SERVICE GAS CO.

Proposed Changes in FPC Gas Tariff

AUGUST 27, 1976.

Take notice that on August 11, 1976, Cities Service Gas Company (Cities Service) tendered for filing Fifteenth Revised Sheet PGA-1, issued July 27, 1976, which reflects thereon a current adjustment of 3.79¢ per Mcf and a cumulative adjustment of 8.02¢ per Mcf, to be effective on July 23, 1976.

Cities Service states that this filing is in conformance with Ordering Paragraph (E) of the Commission's July 22, 1976, order in the above-cited dockets and with Opinions 742-A and 770. Cities Service further states that the above-referred to tariff sheet will be effective for only one day, namely July 23, 1976, after which Alternate Fifteenth Revised Sheet PGA-1 reflecting a current adjustment of 3.92¢ per Mcf and cumulative adjustment of 8.15¢ per Mcf will be effective on July 24, 1976, after suspension, as provided by the Commission's July 22, 1976, order. According to Cities Service, of the 8.15¢ per Mcf cumulative adjustment, 0.13¢ per Mcf is being col-

lected subject to possible refund as of July 27, 1976.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 8, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25752 Filed 9-1-76; 8:45 am]

[Docket No. G-294, et al.]

COLORADO INTERSTATE GAS CO.

Correction

AUGUST 24, 1976.

In the matter of Colorado Interstate Gas Co., formerly Colorado Interstate Gas Company, a division of Colorado Interstate Corporation, in a Notice of Redesignation issued January 29, 1976 (41 FR 5670, February 9, 1976), make the following corrections:

Caption: Add "et al." after "G-294."
Appendix: Add "CP76-177 Pending, CP76-178 Pending, CP76-204 Pending, RP72-122 Pending."

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25746 Filed 9-1-76; 8:45 am]

[Project No. 400]

COLORADO-UTE ELECTRIC ASSOCIATION, INC., ET AL.

License Application

AUGUST 27, 1976.

Notice is hereby given that an application was filed on June 29, 1976, under Section 15 of the Act, 16 U.S.C. § 808, by the Colorado-Ute Electric Association, Inc.; the San Miguel Power Association, Inc.; and the La Plata Electric Association, Inc. (Joint Applicants) (Correspondence to: Mr. John J. Burgas, President and Mr. Girts Krumins, General Counsel, Colorado-Ute Electric Association, Inc., P.O. Box 1149, Montrose, Colorado 81401; Mr. Hugh E. Chastain, Manager, La Plata Electric Association, Inc., Box 180, Durango, Colorado 81301; Mr. Frank E. Maynes, Esq., Attorney at Law, P.O. Box 3420, Durango, Colorado 81301; Mr. Eugene McLeod, Manager, San Miguel Electric Association, Inc., P.O. Box 128, Nucla, Colorado 81424; Mr. Robert R. Wilson, Esq., Attorney at Law, 200 West Main, Cortez, Colorado 81321) for a new major license for the Tacoma-Ames Project No. 400 located in the coun-

ties of La Plata, San Juan, and San Miguel, Colorado, in the vicinity of the communities of Montrose, Durango, Ridgway, Ouray, Silverton, and Telluride, Colorado, on the Animas River and on the Lake Fork and Howard's Fork of the San Miguel River. The project affects lands within the Uncompahgre and San Juan National Forests and other lands of the United States.

The project consists of two developments with a total total installed capacity of 11,600 kW. The Tacoma Development comprises a concrete diversion dam 15 feet high on Cascade Creek; a conduit about 20,000 feet long extending from Cascade Creek diversion dam to Little Cascade Creek; a diversion dam (Aspaas) on Little Cascade Creek; a short canal from Little Cascade Creek to Cascade Reservoir (Electra Lake); the Terminal dam located on Elbert Creek comprises a rock-filled log and timber dam 55 feet high and 725 feet long creating Cascade Reservoir with an area of 831 acres and a storage capacity of 22,550 acre-feet; two diversion dams just downstream from Terminal dam diverting water into a flume 8,800 feet long to a forebay; a forebay with an area of 5.3 acres and a storage capacity of 100 acre feet created by an earth and rock-fill dam 20 feet high and 100 feet long; two penstocks each about 2,900 feet long; and a powerhouse located on the Animas River containing three generating units aggregating 8,000 kilowatts, operating under a static head of 983 feet controlled by the Colorado-Ute Electric Association, Inc., and a 46-kV transmission line extending about 20 miles to Durango, Colorado; a 46-kV transmission line about 26 miles long extending to Silverton, Colorado, both from the Tacoma Development and controlled by the La Plata Electric Association, Inc.

The Ames Development comprises a diversion dam on Howard's Fork; a conduit 4,584 feet long and a penstock 2,187 feet long extending to the powerhouse; a stone masonry dam 192 feet long and 10 feet high located on Lake Fork creating Lake Hope with an area of 44 acres and a storage capacity of 2,310 acre feet; an outlet tunnel 971 feet long; an earth and rock-fill dam 37 feet high and 870 feet long located on Lake Fork downstream from Lake Hope, creating Trout Lake with an area of 142 acres and a storage capacity of 3,180 acre-feet; a conduit 12,653 feet long with a capacity of 50 cubic feet per second extending from the dam; a penstock 2,684 feet long; and a powerhouse located on the South Fork San Miguel River containing one generating unit, with a rated capacity of 3,600 kilowatts, directly connected to two water wheels, one operated by water from Lake Fork under a static head of 928 feet and the other from Howard's Fork under a static head of 648 feet, controlled by the Colorado-Ute Electric Association, Inc., and a 46-kV transmission line extending 9 miles to Burro Bridge and three short 12.5 kV lines controlled by the San Miguel Power Association, Inc.

Project recreational features consist of boat launching facilities and private vacation cabins on Electra and Trout Lakes. Joint applicants propose to increase the public access and use of the recreation facilities by increasing public notice and providing additional parking, boat rental facilities, and picnicking facilities.

Joint applicants estimate that project net investment is \$2,111,411 as of April 30, 1976, and that the project provides an estimated \$25,000 in local property taxes annually. The original license for the project expired on June 30, 1970. The project is presently under annual license.

Any person desiring to be heard or to make protest with reference to said application should on or before November 8, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

Take further notice that, pursuant to the authority contained in and conferred upon the Federal Power Commission by Sections 308 and 309 of the Federal Power Act (16 U.S.C. 825g, 825h) and the Commission's Rules of Practice and Procedure, specifically Section 1.32(b) (18 C.F.R. 1.32(b)), as amended by Order No. 518, a hearing may be held without further notice before the Commission on this application if no issue of substance is raised by any request to be heard, protest or petition filed subsequent to this notice within the time required herein. If an issue of substance is raised, further notice of hearing will be given.

Under the shortened procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant or initial pleader to appear to be represented at the hearing before the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25743 Filed 9-1-76;8:45 am]

[Docket No. ER76-409]

EL PASO ELECTRIC CO.

Filing of Settlement Agreement

AUGUST 27, 1976.

Take notice that on August 16, 1976, El Paso Electric Company (El Paso) filed for Commission approval a proposed Stipulation and Agreement. South Texas states that the Agreement constitutes a complete negotiated settlement of all issues raised in the proceeding in the above-referenced docket.

El Paso also filed an August 16, 1976, proposed rate schedules which, accord-

ing to El Paso, incorporates all provisions of the Agreement.

Any person desiring to be heard or to protest said settlement agreement should file comments with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before September 10, 1976. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this agreement are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25753 Filed 9-1-76;8:45 am]

[Docket No. ER76-796]

IDAHO POWER CO.

Proposed Tariff

AUGUST 27, 1976.

Take notice that on July 20, 1976, Idaho Power Company tendered for filing a proposed tariff providing for sales for resale of non-firm energy. The proposed tariff is designated as:

Idaho Power Company FPC Electric Tariff,
Original Volume No. 1, Original Sheets Nos. 1-4.

Idaho Power Company requests a September 1, 1976 effective date.

Idaho Power Company states that it has served copies of its filing on the Idaho Public Utilities Commission and the Public Utilities Commissioner of Oregon.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 9, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25744 Filed 9-1-76;8:45 am]

[Docket No. ER76-853]

ILLINOIS POWER CO.

Termination, Supplement No. 4 to IP Rate Schedule FPC No. 62

AUGUST 27, 1976.

Take notice that Illinois Power Company ("IP") on August 10, 1976 tendered for filing a notice of the termination of Appendix "E" dated May 17, 1973, to the Facility Use Agreement dated June 16, 1972, between Central Illinois Light Company ("CIL") and IP.

In compliance with Section 4 of Appendix "E", IP states that it notified CIL

on July 15, 1974 of the proposed termination.

IP and the City of Springfield, Illinois entered into a Purchase Agreement to provide for the sale and conveyance by IP to the City of Springfield, Illinois of approximately 19.52 circuit miles of IP's 69 KV line No. 6609 from the east Springfield substation to a point two miles west of Illiopolis, Illinois. Since CIL's 34.5 KV conductors for its Riverton, Illinois circuit were attached to one side of IP's 69 KV transmission line in the vicinity of Riverton, Illinois, and since IP no longer owns these electrical facilities, Appendix "E" to the CIL-IP Facility Use Agreement has been terminated.

Any person desiring to be heard or to protest said Notice should file a Petition to Intervene or Protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 9, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a Petition to Intervene. Copies of this notice are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25745 Filed 9-1-76;8:45 am]

[Docket No. ER76-849]

ILLINOIS POWER CO.

Filing Modification No. 4 and Termination of Certain Connection Points

AUGUST 27, 1976.

Take notice that Illinois Power Company ("Illinois Power") on August 9, 1976, tendered for filing proposed Modification No. 4 to the Interconnection Agreement (Agreement) dated March 30, 1973, between Central Illinois Light Company and Illinois Power. The Commission has previously designated the March 30, 1973 Agreement as Illinois Power Rate Schedule FPC No. 63 and Central Illinois Light Company Rate Schedule FPC No. 14.

The parties state that Modification No. 4 provides for a proposed increase in the charges effective September 1, 1976, for Emergency Maintenance and Short-Term Non-Firm, and Firm Power transactions between Illinois Power and Central Illinois Light Company.

The parties also propose to modify Appendix A to the Agreement by the deletion of Connection 1-Tremont, effective September 1, 1976, and Connection 4-Springfield, effective July 23, 1976.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street N.E., Washington, D.C. 20426, in accordance with §§ 1.8 or 1.10 of the Commission's rules of practice and

procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 9, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 76-25754 Filed 9-1-76; 8:45 am]

[Docket Nos. ER76-714, ER76-715, and ER76-716]

INDIANA & MICHIGAN ELECTRIC CO.

Minimum Billing

AUGUST 25, 1976.

On July 26, 1976, Richmond Power and Light of the City of Richmond, Indiana (Richmond), filed an application for rehearing of the Commission's order in the above-captioned docket issued on June 23, 1976. By that order, the Commission inter alia denied Richmond's motion of June 17, 1976 for summary disposition of Indiana & Michigan's (I&M) minimum billing demand provision for partial requirements customers and its request for a declaratory order establishing the level of Richmond's contract capacity under the applicable tariff provision. For the reasons stated below, we shall deny rehearing as to the minimum billing demand provision, and grant rehearing for purposes of further consideration of Richmond's contract capacity level.

Richmond argues that the proposed minimum billing demand provision (which changes the demand determination from 60% of contract capacity for all wholesale customers to 100% of contract capacity for partial requirements customers and 60% of contract capacity for full requirements customers) is unjustified, discriminatory and excessively burdensome. Richmond contends that I&M has not offered in its filing any reasons or testimony to support the change, and has therefore not met the requirements of §§ 35.13(a) or 35.13(b) (5) of the Commission's Regulations.

While it appears that I&M has offered no testimony directly justifying this change, we cannot say that the filing as a whole, which has substantially complied with the Commission's Regulations, does not contain testimony or exhibits that indirectly support this particular provision. We believe that this is a proper subject to be decided upon a full evidentiary hearing and not on the basis of the pleadings. In these proceedings, the burden of proof to justify the minimum billing demand increase will be on I&M. We shall therefore affirm our order of July 23, 1976, denying Richmond's request for summary disposition of I&M's minimum billing demand provision for partial requirements customers, and deny rehearing on this issue.

Alternatively, Richmond requests a

declaratory order determining its Contract Capacity under I&M's Tariff WS, Original Sheet No. 13, which Richmond states is unchanged by I&M's filing in the instant docket. Richmond argues that I&M has adhered to the level of Contract Capacity established in Richmond's 1965 contract, and has failed to recognize, as required by the tariff, an additional 60,000 kw unit added at Whitewater Valley Station since that time. Richmond contends that under the tariff definition, its Contract Capacity is 11,260 kw (as opposed to the 59,260 kw alleged by I&M) and seeks a declaratory order from the Commission so stating and declaring that billing demands be made on this basis.

Upon further review of the Tariff provision, we find that the level of Richmond's Contract Capacity may be susceptible to determination by contract interpretation and therefore be a proper subject for summary disposition by declaratory order. We shall therefore grant rehearing for the limited purpose of further consideration of this issue and invite answers to Richmond's allegations from I&M and other interested parties to assist us in our determination.

The Commission finds: (1) Good cause exists to deny Richmond's Application for Rehearing on the issue of minimum billing demand.

(2) In order to afford the Commission additional time for consideration of the issue of whether Richmond's contract capacity can be determined by contract interpretation, and to allow responsive pleadings from I&M and other interested parties, it is necessary and proper in the administration of the Federal Power Act to grant rehearing of the Commission's order issued in this proceeding July 23, 1976 for the limited purpose of further consideration of this issue.

The Commission orders: (A) Richmond's Application for Rehearing of the Commission's July 23, 1976 order denying summary disposition of the issue of minimum billing demand is hereby denied.

(B) Rehearing of the Commission's order of July 23, 1976 denying Richmond's request for a declaratory order establishing its Contract Capacity is hereby granted for the purpose of further consideration of this issue.

(C) Responses regarding the appropriateness of a declaratory order to es-

¹ "Unless otherwise agreed to by Customer and Company, the Contract Capacity of a Customer receiving partial requirements service hereunder, shall for any year of service be equal to the amount by which (a) the maximum fifteen minute kilowatt demand of Customers' electric utility system (including any amount supplied by generating facilities owned and operated by Customer) during the year next preceding such year, is greater than (b) the firm capability of the generating facilities owned and operated by Customer at the end of such next preceding year, as mutually agreed upon between Customer and Company. Contract Capacity in any year of service shall in no event be less than the Contract Capacity for the first year of service hereunder."

tablish the level of Richmond's Contract Capacity should be filed and served on all parties on or before September 17, 1976, after the issuance of this order.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 76-25741 Filed 9-7-76; 8:45 am]

[Docket Nos. E-9329 & E-9549]

INDIANA & MICHIGAN ELECTRIC CO., ET AL.

Order Denying Request

AUGUST 27, 1976.

On January 30, 1976, the City of Anderson, Indiana (Anderson) filed a motion for deferral of proceedings and complaint and motion for investigation under Sections 202, 205 and 206 of the Federal Power Act.¹ On February 12, 1976, the Commission Secretary, pursuant to § 1.6 of the Commission's rules of practice and procedure, sent a letter enclosing a copy of the complaint, for response within 30 days of the date thereof, to the American Electric Power Company, Inc., the American Electric Power Service Corporation, Indiana & Michigan Electric Company² as well as to the City of Anderson, Indiana. Responses thereto were filed by the Commission Staff Counsel on March 22, 1976, and by Indiana & Michigan Electric Company (I&M) on May 28, 1976. For the reasons set forth below, the Commission shall grant in part and deny in part the relief requested by I&M, Staff Counsel and Anderson, respectively, and shall establish appropriate hearing procedures consistent therewith.

BACKGROUND

Indiana & Michigan Electric Company has provided electric service to the City of Anderson, Indiana since September 21, 1951. Anderson, population 70,787, is a primarily industrial community located thirty miles northeast of Indianapolis. Its largest single employee is the Delco-Remy Division of General Motors. Under

¹ The complaint was given a new Docket No. E-9549, such that Anderson's pleading and the responses thereto were docketed in Docket No. E-9329, as well as in Docket No. E-9549.

² American Electric Power Company, Inc. (AEP) is an electric utility holding company, which owns and controls the defendant American Electric Power Service Corporation (AEP Service Corp.), the defendant Indiana & Michigan Electric Company (I&M), and other subsidiary companies. The AEP Service Corp. establishes the policies and controls the operations of I&M and AEP's other subsidiary companies and its activities include forecasting customers' demand for electric power and constructing generation and transmission facilities as necessary to meet customers' anticipated needs. It also dispatches electric power over the transmission lines of AEP's subsidiaries for the benefit of I&M.

the agreement with I&M Anderson was to receive service for a period of eight years from the time service commenced. A new contract was entered into April 17, 1957 for a period of eight years and in 1963 Anderson and I&M agreed to an amendment which increased the contract capacity for service to Anderson to 31,500 kva and provided that the term of the agreement be extended for a five year period and thereafter be renewed automatically in two successive periods of five years each, unless either party give the other not less than twenty-four months notice in writing of its election to discontinue the service at the expiration of any such five year period. Pursuant to that provision, by letter dated April 16, 1973 I&M notified Anderson of its intent to discontinue service under the service agreement effective April 16, 1975. On March 17, 1975, I&M tendered for filing in Docket No. E-9329 a proposed service agreement, unsigned by either party, which would govern service between I&M and Anderson under I&M's FPC Tariff WS and which would cancel and supersede I&M's FPC Rate Schedule No. 27. The Commission by its order of April 16, 1975 rejected Anderson's protest to the new filing by I&M and accepted the proposed service agreement for filing to become effective April 17, 1975. Thereafter on May 14, 1975, Anderson petitioned for rehearing of the April 16 order, maintaining that the Commission erred (a) in finding that I&M had given Anderson proper notice to terminate service under Tariff IP; (b) in finding that Anderson did not have contractual right to elect to continue to be served under Tariff IP; and (c) in finding that proffered service agreement was not discriminatory.

By order issued June 13, 1975, the Commission granted rehearing in part and denied in part. Rehearing was granted specifically to provide for a hearing on the question on the justness and reasonableness of the proposed service agreement provisions which limit Anderson to one delivery point and 108,000 kva. Prior to the appointed hearing date the first of these two issues was settled.

A hearing was held on November 18, 1975, before Presiding Administrative Law Judge Sherman Kimball. I&M submitted the testimony of Robert M. Kopper, Executive Vice President and Chief Operating Officer. Anderson submitted the evidence of William R. Mayben, a consulting engineer. The two principal parties and Staff were the only participants in the proceeding.

Witness Kopper in testifying on behalf of I&M stated with reference to the 108,000 kva limitation that "I&M believed it appropriate to fix the highest previous demand registered by Anderson on I&M namely 108,000 kva as the 'Contract Capacity' and thereby established a base number for the application of the minimum billing demand to Anderson." Kopper testified further that Anderson was correct that there are limitations in connection with I&M's service to Ander-

son. He stated the limitations "are imposed by both the substation facilities through which Anderson is now served and by I&M's shortage of generating capability." In response to a question as to whether or not I&M had the ability to increase its generating capacity or to add new facilities in order to permit supply of additional quantities of power to Anderson, Kopper replied, "no." (Tr. 6). On cross-examination Witness Kopper made it clear that I&M intended to regard the contract capacity figure as a maximum delivery obligation and would treat any demands by Anderson in excess of this amount as a non-firm load. (Tr. 24-25).

Mr. Kopper testified specifically as follows:

Q. All right, and is it your testimony that if the wholesale customers imposed this burden on the system so that the system or let's say, I don't want to confine it to the wholesale customers, let's say because of your total system load, the system became infirm do you now, I&M, have a policy of load shedding in that situation?

A. Yes, if the system becomes unstable, we have a problem of load shedding.

Q. What is that program?

A. Well, the first step is you relieve yourself of all non-firm commitments.

Q. Do any of your wholesale customers fall in that category?

A. Yes, where they take capacity in excess of their contract capacity. (Tr. 1:24-25).

Cross-examination also revealed the following:

Q. Well if your system becomes infirm, it affects everybody.

A. That is true. We would take prompt steps, of course, to relieve ourselves of certain burdens that we don't have a contract commitment for. (Tr. 1:29) (emphasis supplied).

Mr. Kopper further testified:

Q. Now Mr. Cook had ultimate responsibility for the decision by I&M and the decision in the other system companies of I&M to withdraw or attempt to withdraw from the wholesale power business?

A. He happens to be the President of individual companies and chief executive officer.

Q. Does that mean the answer is yes?

A. I think that would define it as being yes.

He also stated:

Q. When you made the policy decision, was it and is it your feeling that removal of I&M from the wholesale power business will solve your generation problems?

A. It would enable us to have adequate generation or reasonably adequate generation to service the individual customers in our retail area or the franchise area that we hold franchises in both the State of Indiana and Michigan. (Tr. 1:51).

Witness Kopper also made it clear that it was I&M's position that it has greater public utility service obligations to its retail customers than it does to its wholesale customers. Mr. Kopper's testimony to that effect is as follows:

Q. And thus the capacity shortage would apply to retail customers as well as wholesale customers?

A. Not necessarily.

Q. Why is that?

A. Because we, in order to provide adequate capacity for individual customers which we are franchised to serve pursuant to Indiana franchise law, is that we have an obligation there first to these customers, and we would seek every means to maintain service to them.

That is one reason why we are contemplating, have taken initial steps to relieve ourselves of contract commitments under wholesale contracts, so we would have the capacity to serve the individual customers, primarily those at retail.

Q. So that your testimony is that you believe there is a greater obligation on the part of Indiana & Michigan to serve retail customers than to serve wholesale customers?

A. Absolutely.

Q. Absolutely?

A. Sure (Tr. 1:18-19).

Witness William R. Mayben appearing on behalf of Anderson testified that he had been engaged to conduct engineering and economic studies with respect to future power supply to serve Anderson. He testified that his studies indicated that Anderson has two approaches to future power supply. First, it can remain an all or substantially all requirements customer of I&M, or it can become an owner of bulk power supply facilities to meet all or substantially all of its power requirements. He testified that Anderson had had no electric generating capacity of its own since 1964. He testified concerning the need for discussion and negotiation between Anderson and I&M to solve Anderson's electric power needs and of the difficulties Anderson faced in providing its own power facilities. Mr. Mayben recommended that the Commission determine what, if any, limitations exist in the delivery capacity between I&M and Anderson and seek to find a way to resolve this limitation through joint or individual ownership of facilities by Anderson. He further recommended that no action be taken by the Commission "concerning a limitation in the supply of wholesale power to Anderson by I&M until completion of Anderson's power supply studies and an understanding or agreement is reached between Anderson and I&M with regard to the manner in which Anderson's future power requirements will be supplied."

At the conclusion of the direct and cross-examination the attorney for Anderson asked to go into "the most thorough discovery of what is going on on the AEP system, I&M system specifically as to their load projections, the studies that they had done through the end of the year, to depose the people who have made the policy decisions on withdrawal from the wholesale power business, to get into more specificity the kind of arrangements that I&M has with other investor-owned utilities and other utilities, to see what Anderson can spare as we go down the line in doing the power supply, and after that period of time to see where we are." The attorney for I&M countered with the statement that "all of the testimony is in that anybody wanted to sponsor in this case... I am going to ask you to set a briefing date and ask you to then take this case and

decide it." The Presiding Administrative Law Judge determined to keep the record open for a period of forty-five days and to hold a conference with the parties on December 15, 1975.

On December 15, 1975, a conference was held with the parties presided over by the Administrative Law Judge. At the conference counsel for I&M argued that the 108,000 kva limitation "was inserted because that had been the highest take by the City of Anderson on I&M, and therefore, because of the existence of a new tariff, this WS creature, we need a number which would fix for present purposes the ratchet contained in Tariff WS which, so that the record is clear, is a sixty percent ratchet." (Tr. 158). Again on page 165, counsel reiterates that "I am ready, sir, to represent on the record here on behalf of my client that the 108,000 number appearing in paragraph 9 of the unsigned service agreement tendered for filing with this Commission is intended to represent nothing more than the highest previous maximum take of the City of Anderson, Indiana, on the facilities of my client, and was inserted in that form document solely for purposes of fixing the minimum billing demand as that is defined in Tariff WS." Counsel for Anderson countered that he had written counsel for I&M "a letter to that effect, that the 108,000 referenced contract capacity was used not as a contract limitation, but was used only for purposes of the ratchet, which I understand, being the highest take, and have to pay for sixty percent of that forever no matter what your load is, but not a limitation." (emphasis added) Counsel for Anderson further stated that as to actual physical facilities and the unwillingness of I&M to serve in excess of 120,000, if that should ever arise, his belief that Anderson had remedies that it could seek before the Federal Power Commission at that time. Counsel for Anderson stated that he would be willing to withdraw the discovery or data request that was the subject of the December 15 conference with one caveat, an opportunity to review the interconnection filing in the AEP systemwide proceeding. At that point a ten minute recess was held.

After the recess, counsel for Anderson stated that on August 28, 1975, Anderson had sent a letter to I&M which was an offer to settle the issue in this proceeding. The letter stated in part:

In connection with E-9329 and the discrimination issues raised by Anderson, it is my opinion that Anderson would be willing to sign a service agreement with I&M which deletes the referenced contract capacity, recognizes the fact that Anderson now takes power and energy at two delivery points (although only one of which includes metering facilities), recognizes the need for installation of additional delivery points and the upgrading of voltage levels at existing delivery points (to be metered at one delivery point) as Anderson's load grows, and otherwise presents no barrier to Anderson's pursuing alternate bulk power supply arrangements if and when appropriate action is deemed necessary and is taken by responsible officials. (Tr. 173).

Counsel then stated that Anderson would not insist on deletion of the capacity figure, but would insist on amendatory language to make it clear that the figure was for ratchet purposes only. Counsel further requested that I&M assure it that the unsigned service agreement is not meant to be a limitation on Anderson's ability to take power and energy from additional delivery points as its load grows, and not meant as a limitation on the upgrading on present delivery points. Counsel for Anderson then asked for a stipulation by the company that there is no need to brief the legal issue presented by the company's announced withdrawal policy from the wholesale power business on the basis that there presently is nothing before the Commission to be decided as to that policy. Counsel for I&M refused to make such stipulations pointing out that Anderson was contractually free to seek other power sources and that it was the intention of I&M to serve only on "a day-to-day basis" because of a deficiency in its generating capacity. Counsel for Anderson then countered that it would be necessary to go to discovery. (Tr. 176).

Counsel for I&M indicated that I&M would not sign the service agreement in order to preserve its right to serve only on a "day-to-day" basis and further stated "we will not enter into a long-term contract for firm power with wholesale municipalities or rural electric cooperatives. It is going to be day-to-day. And our position is nothing else but day-to-day." (Tr. 180).

After discussion of some further refinement of the discovery process, the Presiding Judge determined further conference should be held on January 12, 1976.

On January 12, 1976 a forty minute conference between the parties was held. At the conference it developed that I&M did not intend to respond to the discovery questions submitted in letter form by Anderson, on the ground that the information was available in the files of the Commission and that the information which covered not only I&M but "constituent members of AEP" was too broad. Counsel for I&M stated that if Anderson wished to make application to the Commission to enlarge the proceeding or institute a separate proceeding on a separate issue that that was the way it should proceed. (Tr. 191).

Counsel for Anderson countered that the position of I&M that it would not sign the service agreement went to the question of the justness and reasonableness of the contractual provision with reference to a capacity limitation and that therefore that matter was at issue in this docket. (Tr. 194).

Staff counsel agreed in part with each of the other counsels, stating "the question to be determined here is whether this is the proper proceeding in which to pursue the issue of the propriety or legality and the resulting effects of I&M and AEP leaving the wholesale electric business." Staff counsel stated her understanding that this issue has arisen in other cases and her view that it would be duplicative

and repetitive to try this issue in every single individual proceeding. (Tr. 194).²

The Presiding Administrative Law Judge determined that the matter of duplication with reference to other proceedings is one that should be brought to the attention of the Commission with the idea that there should be consolidation. Thereafter under agreement by all parties the record was kept open so that Anderson could file a motion asking for clarification "of the principles or non-principles of the issue of the withdrawal of I&M from the wholesale power business, the so-called day-to-day treatment wholesale customers are now getting, and seeking Commission guidance as to how the issues posed by that policy should be handled in the context of Anderson and Anderson's relationship with Indiana and Michigan Electric Company." (Tr. 200).

MOTION BY ANDERSON

On January 30, 1976, Anderson filed a motion "for deferral of proceedings and complaint and . . . for an investigation under Sections 202, 205 and 206 of the Federal Power Act." Anderson's pleading after reciting the history of this proceeding to date and the testimony of I&M as well as its counsel's statements concerning the future plans of I&M and AEP to withdraw from the wholesale electric business stated that AEP's announced policy raises fundamental issues of critical importance to the regulatory framework of the Federal Power Act which could only be solved by a system-wide Commission investigation of AEP and the American Electric Power Service Corporation. Further, Anderson seeks a Commission order requiring the adoption by the service corporation of an end-use, non-discriminatory curtailment plan in the event the Commission finds that AEP is in fact, faced with a capacity shortage as claimed, and that the service corporation be ordered to refrain from discriminatory planning for future load growth to the detriment of Anderson.

Anderson then discusses the authority of the Commission under sections 205, 206 and 202 to grant the relief it requests. Anderson states that section 205(a) of the Act requires that all rules and regulations affecting or pertaining to rates or charges subject to the jurisdiction of the Commission be just and reasonable; that 205(b) prohibits a public utility from making or granting any undue preference in the transmission of electric power; and that 206 allows the Commission to investigate on its own motion or on complaint any rule, regulation, or practice or contract affecting a rate subject to the Commission's jurisdiction which may be unjust, unreasonable or discriminatory. Anderson alleges that the American Electric Service Corporation as the agent for I&M and other AEP subsidiaries, is dispatching power in interstate

² See: Nevada Power Company, FPC, issued May 30, 1975, in Docket No. E-9306; see also order issued November 28, 1975, in Docket No. E-9306. This case is currently before the Presiding Administrative Law Judge for decision.

commerce in a discriminatory manner to the detriment of Anderson and for the benefit of I&M and other AEP subsidiaries. Anderson also asserts that the limitation of service by AEP to Anderson and other wholesale customers to day-to-day service scheme, discriminatory curtailment, and the announced intention of AEP to cease service completely to Anderson and other wholesale customers is a practice affecting a rate subject to this Commission's jurisdiction, and that the justness and reasonableness of this practice is properly cognizable by the Commission. Finally, Anderson says that section 202(c) is applicable in this situation because AEP by its own words contends that an emergency exists on its system.

Anderson states that antitrust considerations are of paramount importance in this case. Anderson concludes for all of the reasons described that the Commission should institute an investigation pursuant to the cited Sections of the Act of AEP, the Service Corporation, and I&M.

RESPONSES

On March 29, 1976, Commission Staff Counsel filed an answer to Anderson's motion recommending inter alia that the Commission issue an order reflecting (1) a finding that as a matter of law and policy the Commission deem attempts by I&M to discriminate between loads of its wholesale customers and loads of its retail customers to be unduly discriminatory and unlawful under Section 205 of the Federal Power Act and that therefore the Commission will not permit such behavior; (2) a finding that based upon the record in Docket No. E-9329, the 108,000 Kva limitation should be summarily eliminated as unduly discriminatory and unlawful; (3) a finding that service by I&M to Anderson on a day-to-day basis is unduly discriminatory and unlawful under Section 205 and that a hearing should be established in Docket No. 9329 to determine the just and reasonable contract term for service to Anderson; and finally (4) a finding that the facts presented in Staff Counsel's pleading, as well as the statement of law set forth therein, render it unnecessary at the present time to institute an investigation into the generating capacity of I&M, AEP and AEP Service Corporation.

In support of the recommendations contained in the pleading, Staff Counsel cites the statements of I&M Witness Kopper, referred to previously in this order, to the effect that I&M regards the 108,000 Kva contract capacity figure as a maximum delivery obligation and that any demands by Anderson in excess of that figure would be considered as non-firm load which, in turn, would be the first load to be shed in a curtailment, or load shedding, situation. (Tr. 1:24-25) Staff Counsel also cites Witness Kopper's testimony that I&M has a higher legal duty to serve retail customers (which are subject to state jurisdiction) as opposed to wholesale customers (which are subject to Federal Power Commission jurisdiction). (Tr. 1:18-19) Moreover, Staff

Counsel cites testimony of Witness Kopper to the effect that the unsigned service agreement under which I&M is now serving Anderson on a day-to-day basis is in fact a part of an American Electric Power Company, Inc. policy to end service to wholesale customers such as Anderson. (Tr. 1:51)

Staff Counsel states that I&M has an obligation under the Federal Power Act to provide adequate and continuous service to Anderson and other wholesale customers with provisions for reasonable growth. Furthermore, Staff Counsel argues that any diminution of service to Anderson and other wholesale customers must be done based upon substantial evidence and in a rational and nondiscriminatory manner vis-à-vis I&M's retail customers. It is also asserted that in the absence of a public interest showing, I&M may not terminate service to Anderson or any other wholesale customer and furthermore that the Commission may order continuation of pre-existing service arrangements in the event a termination of service is attempted without a public interest showing.

On May 28, 1976, I&M filed a "Comment" in response to Anderson's Motion stating, inter alia, that those issues raised in Anderson's Motion and in Staff's Response thereto, which were not originally set for hearing in Docket No. E-9329, should, if the Commission deems investigation of these issues appropriate, be severed from Docket No. E-9329 and consolidated for purposes of hearing and decision with Docket No. E-9548. Docket No. E-9548 involves a complaint by several of I&M's municipal customers alleging, inter alia, that I&M has given them notice of its intention to terminate service to them and requesting the Commission to institute an investigation under section 206(a) of the Federal Power Act into the claims by the AEP system concerning alleged shortages of capacity and energy on the AEP system, the termination of service to wholesale customer issues, and whether or not the Commission should establish and implement a curtailment plan for the AEP system. This complaint was filed on January 30, 1976, the same day that Anderson filed its Motion in Docket Nos. E-9329 and E-9549. I&M states that severance of these issues from Docket No. E-9329 and consolidation of such issues with Docket No. E-9548 is supported by the Commission's order in "Indiana & Michigan Electric Company," — FPC —, issued April 7, 1976, in Docket No. ER76-357, wherein the Commission directed certain of I&M's REMC customers to raise any allegations regarding "AEP statements that it is going out of the wholesale business" in Docket No. E-9549 rather than in Docket No. ER76-357 which involved the appropriate rate levels to be charged in an operating agreement among I&M, Consumers Power Company, and Detroit Edison Company.

Finally, I&M requests the Commission to deny any requests by Anderson or Staff for summary disposition of any issues raised in their respective pleadings.

DISCUSSION

The Commission's review of Staff Counsel's request concerning the 108,000 Kva issue indicates that it is, in effect, a request that the Commission waive the intermediate decision by the Presiding Administrative Law Judge. Because of the complex nature of the issue, it is appropriate that the Presiding Administrative Law Judge issue an initial decision on this issue prior to the Commission making its final decision thereon. Accordingly, Staff Counsel's request that we decide that issue at this time is denied and the issue is referred to the Presiding Administrative Law Judge for his initial decision thereon in accordance with the Commission's rules of practice and procedure.

The Commission's review of the record and the pleadings filed in this proceeding indicates that the day-to-day service to Anderson, which results from the operation of the unsigned service agreement under which I&M is currently serving Anderson, has not been shown to be just and reasonable and may be unjust, unreasonable, preferential, unduly discriminatory or otherwise unlawful. Accordingly, the Commission shall expand the scope of the proceedings in Docket No. E-9329 to determine the just and reasonable contract term for service to Anderson, as well as the appropriate notice provisions for cancellation or termination of such contract.⁴

The broader issues raised herein concern allegations that: (1) I&M, as well as AEP, are attempting to remove themselves from the wholesale electric business, (2) AEP is currently or will in the near future be suffering from a lack of energy and/or capacity to serve its wholesale customers, and (3) there is a need for a curtailment plan on the AEP system. The Commission agrees with I&M that such issues should not be raised in Docket No. E-9329 but rather should be severed from Docket No. E-9329, placed in Docket No. E-9549 which, in turn, should be consolidated for purposes of hearing and decision with Docket No. E-9548. The Commission shall so order. Furthermore, consistent with this action, the Commission has, this day, issued an order in Docket Nos. E-9548 and E-9549 setting these matters for hearing and investigation.

The Commission notes that Anderson has requested in its Motion that the investigation in Docket No. E-9329 be deferred pending resolution of the investigation in Docket Nos. E-9548 and E-9549. Upon review, the Commission has determined that it would not be in the public interest to delay resolution of the 108,000 Kva issue and the day-to-day service issue in Docket No. E-9329 pending resolution of the broader issues set for hearing in Docket Nos. E-9548 and E-

⁴ See: Kentucky Power Company, Opinion No. 652, 49 FPC 564 (1973); rehearing denied, Opinion No. 652-A, 49 FPC 1040 (1973), wherein the Commission modified a termination provision it found to be unjust and unreasonable.

9549. Accordingly, Anderson's request shall be denied.

The Commission finds. It is necessary and appropriate in the public interest and to aid in the enforcement of the Federal Power Act that:

(1) Staff Counsel's request that the Commission decide the issue of the justness and reasonableness of the 108,000 Kva contract capacity question at this time be denied, and that the issue be referred to the Presiding Administrative Law Judge in Docket No. E-9329 in order that he may issue an initial decision thereon in accordance with the Commission's rules of practice and procedure;

(2) That the scope of the proceeding in Docket No. E-9329 be expanded to determine the just and reasonable contract term for service to Anderson as well as the appropriate notice provisions for cancellation or termination of the contract;

(3) That the broader issues raised in this proceeding with respect to Anderson relating to: (a) the alleged attempts by I&M, as well as AEP, to remove themselves from the wholesale electric business; (b) the allegation that AEP is currently, or will in the near future, be suffering from a lack of energy and/or capacity to serve its wholesale customer; (c) the purported need for a curtailment plan on the AEP system; and (d) the legal authority of the Federal Power Commission to deal with these issues should be severed from Docket No. E-9329 and placed in Docket No. E-9549. Docket E-9549 should, in turn, be consolidated for purposes of hearing and decision with Docket No. E-9548;

(4) Anderson's request for a delay of the proceedings in Docket No. E-9329 pending resolution of the issues in Docket Nos. E-9548 and E-9549 be denied; and

(5) The Presiding Administrative Law Judge in Docket No. E-9329 call a prehearing conference to establish dates for service of evidence and other procedural matters for the resolution of the issues related to the justness and reasonableness of the day-to-day service provision in I&M's proposed agreement governing services to Anderson.

The Commission orders. (A) Staff Counsel's request that the Commission decide the issue of the justness and reasonableness of the 108,000 Kva contract capacity issue at this time is denied and the issue is referred to the Presiding Administrative Law Judge in Docket No. E-9329 in order that he may issue an initial decision thereon in accordance with the Commission's Rules of Practice and Procedure.

(B) The scope of the proceedings in Docket No. E-9329 is hereby expanded by the institution of an investigation under Sections 205 and 206 of the Federal Power Act to determine the just and reasonable contract term for the agreement governing service by I&M to the City of Anderson, as well as the appropriate notice provisions for cancellation or termination of such contract.

(C) The broader issues raised in this proceeding with respect to Anderson re-

lating to: the alleged attempts by I&M, as well as AEP, to remove themselves from the wholesale electric business; (b) the allegation that AEP is currently, or will in the near future, be suffering from a lack of energy and/or capacity to serve its wholesale customers; (c) the purported need for a curtailment plan on the AEP system; and (d) the legal authority of the Federal Power Commission to deal with these issues; are hereby severed from Docket No. E-9329, placed in Docket No. E-9549, and Docket No. E-9549 is hereby consolidated for purposes of hearing and decision with Docket No. E-9548.

(D) Anderson's request for a delay of the decision on the issues raised in Docket No. E-9329 pending resolution of the issues to be decided in Docket Nos. E-9548 and E-9549 is hereby denied.

(E) The Presiding Administrative Law Judge shall call a prehearing conference in Docket No. E-9329 for the purpose of establishing dates for service of evidence, and other procedural matters, for the resolution of the issues related to the justness and reasonableness of the 108,000 Kva contract capacity provision and the day-to-day service provision in I&M's proposed agreement governing service to Anderson.

(F) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25755 Filed 9-1-76; 8:45 am]

[Docket No. ER76-234]

IOWA SOUTHERN UTILITIES CO.

Tender of Supplemental Data

AUGUST 27, 1976.

Take notice that on August 23, 1976, the Iowa Southern Utilities Company tendered for filing additional data intended to make complete its original filing of November 10, 1975. This filing was made in response to a Secretary's deficiency letter dated December 10, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 17, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25756 Filed 9-1-76; 8:45 am]

[Docket No. ER76-813]

JERSEY CENTRAL POWER & LIGHT CO.

Rate Increase

AUGUST 27, 1976.

On July 27, 1976, Jersey Central Power and Light Company (Jersey) tendered for filing revised tariff sheets to its FPC Electric Tariff, Original Volume No. 1.¹ The proposed changes would increase revenues from Jersey's six wholesale customers by \$1,201,462 (18.4%) based upon estimated sales for the calendar 1976 test period. Jersey requests an effective date of August 27, 1976.

The proposed rate change under the revised tariff rate RP increases the monthly demand charges from \$3.18/kw to \$3.45/kw and the energy charge from 9 mills/kWh to 20 mills/kWh. The customers monthly credit allowance for untransformed service has been increased from \$0.28/kw to \$0.29/kw.

Public notice of Jersey's tender was issued on August 4, 1976, with protests and petitions to intervene due on or before August 18, 1976.

The Commission's review of the instant tender indicates that Jersey's proposed tariff sheets have not been shown to be just and reasonable, and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful. Accordingly, the Commission shall accept for filing and suspend Jersey's proposed tariff sheets until September 27, 1976, when they will be permitted to become effective subject to refund, as hereinafter ordered; and the Commission will establish hearing procedures.

The proposed fuel adjustment clause contained in tariff sheets, Third Revised Sheet No. 15 and Original Sheet No. 16, with the exception of an increased base fuel cost and adjustments purporting to recover unbilled fuel costs, is the same as that filed by Jersey in Docket No. E-9342. Without prejudice to any issues that may be raised by any party or the Commission Staff in the proceedings instituted herein, the proposed rates shall further be made subject to refund in accordance with the outcome of the proceedings in Docket No. E-9342.

The Commission finds: (1) Good cause exists to accept for filing Jersey's proposed tariff sheets submitted on July 27, 1976, and to suspend their operation until September 27, 1976, when they shall be permitted to become effective, subject to refund.

(2) It is proper and necessary in the public interest and to aid in the enforcement of the Federal Power Act that a hearing concerning the lawfulness of Jersey's proposed tariff sheets be commenced.

¹ Designated as shown in Appendix A.

² The Boroughs of Butler, Lavallette, Madison, Pemberton and Seaside Heights, New Jersey, and Allegheny Electric Cooperative, Inc.

The Commission orders: (A) Pending a hearing and decision thereon, Jersey's proposed tariff sheets are hereby accepted for filing and suspended from operation until September 27, 1976, when they shall be permitted to become effective, subject to refund.

(B) Pursuant to the authority of the Federal Power Act, particularly Section 205 and 206 thereof, and the Commission's Rules and Regulations, a hearing shall be held concerning the lawfulness and reasonableness of the proposed tariff sheets.

(C) Jersey's proposed tariff sheets are hereby further made subject to refund pending the outcome of proceedings in Docket No. E-9342.

(D) The Commission Staff shall prepare and serve top sheets on all parties for purposes of settlement on or before March 1, 1977. (See Administrative Order No. 157).

(E) A presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall convene a settlement conference in this proceeding on a date certain within 10 days after the service of top sheets by the Staff, in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates and to rule upon all motions (with the exceptions of petitions to intervene, motions to consolidate and sever, and motions to dismiss, as provided for in the Rules of Practice and Procedure).

(F) Jersey shall file monthly with the Commission the report on billing determinants and revenues collected under the presently effective rates and the proposed rates filed herein, as required by Section 35.19(a) of the Commission's Regulations, 18 CFR Section 35.19(a).

(G) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

APPENDIX A

JERSEY CENTRAL POWER & LIGHT COMPANY

[Docket No. ER76-813]

Filed: July 27, 1976.

Nature: Change in tariff rates.

Designation	Description
First revised sheet No. 2 (supersedes original sheet No. 2).	Table of contents.
First revised sheet No. 7 (supersedes original sheet No. 7).	Service agreement.
First revised sheet No. 9 (supersedes original sheet No. 9).	General terms and conditions.
First revised sheet No. 11 (supersedes original sheet No. 11).	Do.
Second revised sheet No. 13 (supersedes first revised sheet No. 13).	Resale Service Rate RP.

Designation	Description
Second revised sheet No. 14 (supersedes first revised sheet No. 14).	Do.
Third revised sheet No. 15 (supersedes second revised sheet No. 15).	Fuel Adjustment Clause.
Original sheet No. 16----	Do.

[FR Doc.76-25740 Filed 9-1-76;8:45 am]

[Docket No. ER76-867]

LOUISIANA POWER & LIGHT CO.

Proposed Electric System Interconnection Agreement

AUGUST 27, 1976.

Take notice that on August 19, 1976, the Louisiana Power & Light Company (LP&L) tendered for filing an Electric System Interconnection Agreement dated July 29, 1976 providing for the delivery of additional electric service to the Town of Homer, Louisiana (Town), and also provides in addition to Emergency Service, when elected by the Town, service schedules for Reserve Capacity, Supplemental Power, Surplus Power, Economy Power, and Transmission Service. The Town has elected to take only Supplemental Power—Service Schedule "C" rather than repair damaged engines. LP&L further states that the proposed agreement and schedules A, B, C, D, E, F, and F-I, are the same as accepted for filing in FPC Docket No. ER76-162 with the City of Ruston's letter and made effective May 4, 1976 Rate Schedule No. 54.

According to LP&L, this Agreement will increase the capacity available to the Town from 2,000 to 3,000 kva and provide for parallel operation with LP&L. As requested by the Town, LP&L has made Supplemental Service available August 1, 1976 and requests that the proposed agreement be accepted for filing to become effective August 1, 1976 when supplemental service was rendered.

LP&L stated that a copy of this filing was mailed to the Town of Homer, Louisiana.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 20, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25757 Filed 9-1-76;8:45 am]

[Docket No. ER76-868]

LOUISIANA POWER & LIGHT CO.

Proposed Electric System Interconnection Agreement

AUGUST 27, 1976.

Take notice that on August 19, 1976, the Louisiana Power & Light Company (LP&L) tendered for filing an Electric System Interconnection Agreement dated June 21, 1976 providing for the delivery of additional emergency electric service to the Town of Rayville, Louisiana (Rayville), and also provides when elected by the Town, service schedules for Reserve Capacity, Supplemental Power, Surplus Power, Economy Power, and Transmission Service. Presently the Town will continue taking only emergency assistance service. LP&L further states that the proposed agreement and schedules A, B, C, D, E, F, and F-I, are the same as accepted for filing in FPC Docket No. ER76-162 with the City of Ruston's letter and made effective May 4, 1976, Rate Schedule No. 54.

According to LP&L, this Agreement will increase the capacity available to the Town from 4,300 to 8,000 kva and provide for parallel operation with LP&L.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 20, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25758 Filed 9-1-76;8:45 am]

[Docket Nos. E-9548 and E-9549]

MISHAWAKA, IND. ET AL.

Order Instituting Investigations

In the matter of city of Mishawaka, Indiana, city of Niles, Michigan, city of Columbia City, Indiana, city of Bluffton, Indiana, city of Garret, Indiana, city of Gas City, Indiana, town of Frankfort, Indiana, town of Warren, Indiana, town of New Carlisle, Indiana, and town of Avilla, Indiana, Complainants, v. American Electric Power Company, Inc., American Electric Power Service Corporation, and Indiana & Michigan Electric Company, Defendants, and the city of Anderson, Indiana, Complainant, v. American Electric Power Company, Inc., American Electric Power Service Corporation, and Indiana & Michigan Electric Company, Defendants.

On January 30, 1976, a group of ten municipalities¹ who are wholesale customers (Customers) of Indiana & Michigan Electric Company (I&M) filed in Docket No. E-9548² a complaint pursuant to Section 206(a) of the Federal Power Act requesting the Commission to institute:

... an investigation, hearing and order preventing the defendants from cutting off or threatening to cut off the complainants' electric power.

On February 5, 1976, the Commission's Secretary, pursuant to § 1.6 of the Commission's rules of practice and procedure, sent a letter enclosing a copy of the complaint for response to within 30 days thereof, to the American Electric Power Company, Inc., American Electric Power Service Corporation, Indiana & Michigan Electric Company, as well as to each of the ten municipal customer-complainants. On March 5, 1976, I&M filed a response to Customers' complaint. For the reasons hereinafter stated, the Commission shall grant in part the relief requested by Customers and shall establish appropriate hearing procedures.

Customers allege that eight of them have received formal notice letters from defendants indicating that as of dates ranging from September 23, 1976, to February 19, 1981, I&M will cut off the respective municipalities' supply of firm electric power. Customers state that the mayors of the complainant municipalities received a letter dated November 10, 1975, from G. V. Paterson, President of AEP Service Corporation which was transmitted through I&M to them which stated, *inter alia*, that the AEP system is or expects to be deficient in generation capacity to meet all of its customers' needs; that AEP and its subsidiaries have a higher obligation to serve retail customers than to serve wholesale customers; and that therefore defendants intend to "shut off their present wholesale customers' power." Customers also allege that the defendants have not mailed termination letters to their retail customers, and in fact have offered to serve increased loads of such customers.

Based upon the foregoing, Customers state that defendants have engaged in practices which are violative of sections 202, 205 and 206 of the Federal Power Act. Therefore, Customers request the Commission to *inter alia* institute an investigation and hearing pursuant to section 206(a) of the Federal Power Act; to establish whether or not there is, or will soon be, a generating shortage on the AEP system and if one does exist, to prescribe a curtailment plan which does not discriminate between wholesale and retail customers; to allow all customers equal access to new generation; and to grant such other relief as may be appropriate.

Defendants' response *inter alia* denies the Customers' allegation that they have "the present intention" to cut off service to the municipalities but notes that they (defendants) have

... encouraged and are encouraging wholesale customers to develop alternate sources of supply, have offered to assist such customers in finding alternative sources of supply and have offered to transmit power through their respective systems to points where their systems are interconnected with other systems.

Furthermore, they allege the Commission has no jurisdiction over the subject matter of Customers' complaint. Therefore, defendants "demand" that the Commission issue an order dismissing the complaint; that no investigation be instituted into the subject matter of the complaint and that the Commission grant other appropriate relief.

The Commission notes that by order issued this day in Docket Nos. E-9329 and E-9549, the Commission set for hearing, but severed the trial of issues similar to those raised by Customers in their complaint, and consolidated the trial of those issues relating to the City of Anderson, Indiana (another wholesale customer of I&M) in those dockets with the instant proceeding in Docket No. E-9548 such that the consolidated proceedings would be docketed as Docket Nos. E-9548 and E-9549.³ The Commission's review of the record and pleadings in Docket Nos. E-9548 and E-9549 indicates that an investigation and hearing under the Federal Power Act, particularly, but not limited to, Sections 205 and 206 thereof, should be instituted to determine (a) whether or not AEP is suffering, or will in the near future, suffer from a capacity and/or energy shortage; (b) whether a curtailment plan should be prescribed for the AEP system; (c) whether I&M as well as AEP is attempting to remove itself from the wholesale electric business and (d) whether this Commission has legal authority to deal with these issues.

The Commission finds. An investigation under the Federal Power Act, particularly, but not limited to, sections 205 and 206, thereof, should be instituted in Docket Nos. E-9548 and E-9549 as hereinafter ordered and conditioned.

The Commission orders. (A) Pursuant to the authority of the Federal Power Act, particularly, but not limited to, sections 205 and 206 thereof, and the Commission's rules of practice and procedure (18 CFR, Chapter I), an investigation is hereby instituted to determine the issues raised in the body of this order.

(B) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See delegation of authority, 18 CFR 3.5 (d)), shall preside at the hearing in this proceeding, shall prescribe necessary procedures not provided for in this order, and shall otherwise conduct the hearing

³ Two issues peculiar to the Anderson-I&M unsigned service agreement were referred to the Presiding Administrative Law Judge in Docket No. E-9329 for hearing and decision.

in accordance with the Commission's rules of practice and regulations.

(C) The Presiding Administrative Law Judge shall call a prehearing conference to establish appropriate procedural dates for the conduct of this investigation.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 76-25751 Filed 9-1-76; 8:45 am]

[Docket No. ER75-866]

NORTHERN INDIANA PUBLIC SERVICE CO.

Memorandum

AUGUST 27, 1976.

Take notice that on August 19, 1976, Northern Indiana Public Service Company (Northern Indiana) tendered for filing Memorandum No. 67 providing for use of release capacity under the Supplemental Electric Service Agreement between Commonwealth Edison Company of Indiana, Inc. and Northern Indiana dated as of January 1, 1960, as amended. Northern Indiana requests waiver of the notice requirements to permit an effective date of July 1, 1976.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 22, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 76-25759 Filed 9-1-76; 8:45 am]

[Docket No. CP76-477]

NORTHERN NATURAL GAS CO.

Application

AUGUST 26, 1976.

Take notice that on August 12, 1976, Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP76-477 an application pursuant to Section 7 (c) of the Natural Gas Act and Section 157.7(b) of the Regulations thereunder (18 CFR 157.7(b)) for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1977, and operation of facilities to enable Applicant to take into its certificated main pipeline system natural gas which would be purchased from producers and other similar sellers

¹ The municipalities are listed above in the caption of this order in Docket No. E-9548.

² On that same date, the City of Anderson (also a wholesale customer of I&M) filed a similar complaint which was docketed in Docket No. E-9549 as well as in Docket No. E-9329.

thereof, all as more fully set forth in the application on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in connecting to its pipeline system supplies of natural gas which may become available from various producing areas generally co-extensive with its pipeline system or the systems of other pipeline companies which may be authorized to transport gas for the account of or exchange gas with Applicant.

Applicant states that the total cost of the proposed facilities would not exceed \$12,000,000, with no single on-shore project to exceed a cost of \$1,500,000 and no single offshore project to exceed a cost of \$2,500,000. These facilities would be financed with cash on hand and funds generated through operations.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 22, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25742 Filed 9-1-76;8:45 am]

[Docket No. ER76-759]

PACIFIC POWER & LIGHT CO.
Supplemental Data

AUGUST 27, 1976.

Take notice that on August 18, 1976, Pacific Power and Light Company

(PP&L) tendered for filing supplemental data intended to make complete its original tender of June 21, 1976 in the above-captioned docket. PP&L's action is in response to a deficiency letter issued by the Secretary of the Federal Power Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 9, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25760 Filed 9-1-76;8:45 am]

[Docket No. RI76-144]

PANOAK OIL & GAS CORP.
Petition for Special Relief

AUGUST 27, 1976.

Take notice that on August 2, 1976, Panoak Oil and Gas Corporation (Panoak), 6809 E. 40th Street, Tulsa, Oklahoma 74145, filed a petition for special relief in Docket No. RI76-144, pursuant to Section 2.56b of the Commission's Rules of Practice and Procedure. Panoak seeks a price of 75.00 cents per Mcf, or, in the alternative, permission and approval to abandon service pursuant to Section 7(b) of the Natural Gas Act. The subject gas is produced on acreage in the Northeast Enid Field (Breckinridge Pool), Garfield County, Oklahoma. Pursuant to contract dated January 19, 1965, the gas is sold to Ladd Petroleum Corporation for resale to Cities Service Company. Panoak states that it is unable to continue deliveries on a viable economic basis unless the requested relief is granted.

Any person desiring to be heard or to make any protest with reference to said petition should on or before September 20, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25761 Filed 9-1-76;8:45 am]

[Project No. 298]

SOUTHERN CALIFORNIA EDISON CO.
Correction

AUGUST 20, 1976.

In the matter of Southern California Edison Co., in a notice of issuance of annual license(s) issued August 9, 1976 (41 FR 34832, August 17, 1976), in the last line in the second paragraph, substitute "Southern California Edison Company" for "Minnesota Power and Light Company."

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25748 Filed 9-1-76;8:45 am]

[Docket Nos. RI76-117, RI76-119, RI76-132, RI76-133, RI76-135]

SUN OIL CO., ET AL.

Extension of Time and Correction

AUGUST 23, 1976.

In the matter of Sun Oil Co., Anadarko Production Co., Northern Michigan Exploration Co., Clark Oil Producing Co., and Diamond Shamrock Corp., please change the caption on the Notice issued August 17, 1976 (41 FR 36082, August 26, 1976), to the caption designated above. By Order issued August 4, 1976, the petitions for special relief filed in Docket Nos. RI76-132, RI76-133, and RI76-135 were consolidated with Docket Nos. RI76-117 and RI76-119.

The prehearing conference scheduled for September 9, 1976, by Order issued August 4, 1976, has been rescheduled for September 23, 1976, to convene at 9:30 a.m. in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25747 Filed 9-1-76;8:45 am]

[Docket Nos. RI76-117, etc.]

SUN OIL CO., ET AL.

Amendment to Petition for Special Relief

AUGUST 27, 1976.

In the matter of Sun Oil Company, Anadarko Production Company, Northern Michigan Exploration Company, Clark Oil Producing Company, Diamond Shamrock Corporation. Take notice that on July 19, 1976, Anadarko Production Company (Petitioner) P.O. Box 1330, Houston, Texas 77001, filed in Docket No. RI76-117 and RI76-119 an amendment to petition for special relief from the base national rate pursuant to § 2.56a(g)(2) of the Commission's general policy and interpretations and § 1.11(a) of the Commission's rules of practice and procedure. Subsequently by order issued August 4, 1976, in Docket Nos. RI76-132, RI76-133, and RI76-135 the petitions for special relief filed in Docket Nos. RI76-132, RI76-133, and RI76-135 were consolidated with Docket Nos. RI76-117 and RI76-119.

Petitioner by amendment with supplemental direct testimony and revised exhibit attached seeks a base rate of approximately \$1.69 per Mcf with annual escalations of 4 percent per annum for

the sale of natural gas from its 12.5 percent working interest in production from West Cameron Block 639, Offshore Louisiana, Federal Domain. Such amended request represents a reduction in price from the approximate \$1.74 per Mcf with 4 percent annual escalations requested in its petition for special relief filed March 26, 1976, and reflects actual costs incurred together with the deletion of contingency costs for a previously proposed well.

Any person desiring to be heard or to make any protest with reference to said petition should on or before September 20, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25762 Filed 9-1-76;8:45 am]

[Docket Nos. RP72-156 (PGA 76-3) and
RP2-64 (DCA76-2)]

TEXAS GAS TRANSMISSION CORP.
Correction

AUGUST 9, 1976.

In the matter of Texas Gas Transmission Corp., in a notice of proposed changes in FPC gas tariff issued June 23, 1976 (41 FR 26753, June 29, 1976), change "Docket No. RP72-156 (PGA76-2)" to read "Docket No. RP72-156 (PGA 76-3), and RP72-64 (DCA76-2)".

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25749 Filed 9-1-76;8:45 am]

**INTERNATIONAL TRADE
COMMISSION**

[AA1921-156, 157, 158]

**ALPINE SKI BINDINGS FROM AUSTRIA,
SWITZERLAND, AND WEST GERMANY**
Determinations of No Injury or Likelihood
Thereof

On May 28, 1976, the United States International Trade Commission received advice from the Department of the Treasury that Alpine ski bindings and parts thereof from Austria, Switzerland, and West Germany are being, or are likely to be, sold in the United States at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). On June 8, 1976, the Commission instituted investigations Nos. AA1921-156, 157, and 158, respectively, under section 201(a) of said act to determine whether an industry

in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States. Notice of the institution of the investigations and of the public hearing was published in the FEDERAL REGISTER on June 16, 1976 (41 FR 24460).

In arriving at its determinations, the Commission gave due consideration to written submissions from interested parties, evidence adduced at the hearing, and all factual information obtained by the Commission's staff from questionnaires, personal interviews, and other sources.

On the basis of the Commission's investigations, Commissioners Leonard, Minchew, and Ablondi have determined that an industry in the United States is not being and is not likely to be injured, and is not prevented from being established, by reason of the importation of Alpine ski bindings and parts thereof from Austria, Switzerland, and West Germany, respectively, that are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

On the basis of the Commission's investigations, Commissioners Moore, Bedell, and Parker have determined that an industry in the United States is not being and is not likely to be injured, and is not prevented from being established, by reason of the importation of Alpine ski bindings and parts thereof from Austria, Switzerland, and West Germany, individually or collectively, that are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Issued: August 30, 1976.

By order of the Commission.

KENNETH R. MASON,
Secretary.

[FR Doc.76-25778 Filed 9-1-76;8:45 am]

**NATIONAL TRANSPORTATION
SAFETY BOARD**

[N-AR 76-36]

**SPECIAL STUDY; ACCIDENT REPORTS;
SAFETY RECOMMENDATIONS AND RE-
SPONSES**

Availability and Receipt

Special Aviation Study.—In releasing its study, "Nonfatal, Weather-Involved General Aviation Accidents," the National Transportation Safety Board cited weather as a causal factor in 7,856 aviation accidents over an 11-year period and called for greater effort by Government and industry to reverse the trend. The study, report No. NTSB-AAS-76-3, was released August 25.

During the 1964-1974 study period, "inadequate preflight planning preparation and/or planning" was the most frequently cited cause in which both pilots and weather were involved, according to the Board. Statistics reveal that most of the nonfatal, weather-involved general

aviation accidents occurred during the landing regime, i.e., either during the landing roll or during leveloff and touchdown, when unfavorable wind conditions existed, and when the weather was VFR. Unfavorable winds were cited 5 times more frequently as a cause or a factor than were low ceilings, and 16 times more frequently than was thunderstorm activity. Statistics also reveal that a pilot was 12 times more likely to encounter weather as predicted than to encounter weather worse than predicted.

As a result of its findings, the Safety Board urges general aviation pilots to attend the various safety seminars, clinics, and courses of instruction sponsored by both Government and industry. "For familiarization purposes, there is no substitute for visiting National Weather Service and Federal Aviation Administration facilities," the Board said. The Board urges all pilots to postpone any flight until a timely and thorough preflight weather briefing can be obtained and reiterates that if there is any doubt—DON'T GO!

Recommendations Nos. A-76-85 and A-76-86 were issued to FAA on August 4, based on results of this study. (See 41 FR 34125, August 12, 1976.)

Aircraft Accident Report.—The Safety Board determined that fuel exhaustion induced by improper preflight planning and incorrect in-flight decisions by the pilot-in-command probably caused the crash of a Cessna 172L during an emergency landing last March 12 near Garrett County Airport, Accident, Maryland. Report No. NTSB-AAR-76-16 following Board investigation was released August 26.

This accident, according to the Board, points out the necessity for thorough preflight planning and sound in-flight decisions, based on updated information, by all persons who operate light aircraft. The Board also stated that the use of a flight log containing the pertinent route, wind, groundspeed, and fuel consumption computations cannot be over-emphasized. This information, along with updated, en route weather information, can be used by the pilot to assess more adequately his in-flight situation at any point during the flight. Therefore, his decisions can then be based on complete information.

As a result of the investigation of this accident, the Board on July 19 issued to the Federal Aviation Administration two safety recommendations, Nos. A-76-95 and A-76-96, requesting that FAA (1) accompany the word "beacon" by a qualifying word whenever it is used in the Air Traffic Control System, and (2) include all of the various meanings of the word "beacon" in a revision to the Pilot/Controller Glossary. (See 41 FR 31625, July 29, 1976.)

Railroad Accident Reports and Recommendations. Investigations of the rear-end collision of two commuter trains in Chicago, Illinois, last January 9, and the derailment near Des Moines, Iowa, last September 1 of 17 tank cars containing liquefied petroleum gas (LPG) have re-

sulted in two accident reports, released last week by the Safety Board.

In the Chicago Transit Authority (CTA) collision, one passenger was killed, one seriously hurt, and 379 others injured when a four-car train struck the rear of a standing six-car train at the Addison Street Station of CTA's West-Northwest line. Both trains were inbound during the morning rush hour. The six-car train was stopped and behind schedule because of a circuit breaker which would not stay closed when power was applied. The rear of the train was not being protected by flagging. The following train was being operated with its automatic train control (ATC) system inoperative because of a malfunction. It was not scheduled to stop at Addison Street Station.

The report, NTSB-RAR-76-9, released August 23, indicates that the probable cause of the accident was the motorman's failure to see the standing train ahead in time to stop short of it. Contributing factors were (1) the CTA rule which permitted operation of the second train with its ATC and cab signals inoperative, (2) the lack of consistent enforcement of operating rules, (3) the absence of flag protection against following trains, (4) failure of the train phone system—four calls by crewmen of three trains both before and after the accident went unanswered by CTA's central control, and (5) the motorman's violation of a 25-mph speed limit which was required by CTA's rules because he was operating without ATC and with his visibility limited by glare from the morning sun.

As a result of its investigation of this accident, the Safety Board released by letter of August 23 recommendations calling for CTA to (1) study its January 10 ATC-out orders to insure that all hazards have been considered and their potential minimized (recommendation R-76-35); (2) begin predeparture testing of ATC, cab signals, and train phones (R-76-36); (3) review its ATC maintenance schedule and procedures to reduce in-service failures (R-76-37); (4) insure that its train phone system is reliable, and that there are proper procedures for its emergency use (R-76-38); (5) update and upgrade its book of operating rules (R-76-39); (6) reassess its operating employees' training program and current methods for checking employee understanding of rules (R-76-40); and (7) develop the full potential of its Safety Department—now an advisory group—so that it can require implementation of system safety programs (R-76-41). These recommendations are all designated "Class II, Priority Followup."

In a separate letter of August 23 addressed to the Governor of the State of Illinois, the Safety Board recommended priority followup to insure that the Regional Transit Authority exercises its statutory regulatory authority over CTA so that CTA may provide the safest practical transit service (R-76-45).

On August 1, the Safety Board addressed to eight different transit organi-

zations recommendations Nos. R-76-42 through R-76-44 which also concern automatic train control and which resulted from investigation of this accident. (See 41 FR 34125, August 12, 1976, and response of one addressee, New York City Transit Authority, noticed below.)

Following investigation of the Rock Island Railroad freight train accident near Des Moines, the Safety Board urged Federal assistance to local firefighters in coping with compressed gas fires and explosions in railroad derailments. Specific recommendations to the Department of Commerce were to (1) develop firefighting procedures which assure safety and minimize the duration of fire danger in accidents involving LPG and other compressed flammable gases in tank cars (I-76-7), and (2) establish communication with all fire services and disseminate to them specific procedures for the safe handling of railroad transportation emergencies which involve hazardous materials (I-76-8). These Class II recommendations were issued by letter of August 24 addressed to the Secretary of Commerce.

In its report No. NTSB-RAR-76-8, also released August 24, the Board indicated that the 62-car train, descending a 1-percent grade on a 1-degree curve, derailed at the frog of a facing point switch on the main line; 11 of the 17 cars which derailed contained LPG. Fire and explosion ensued; the LPG was consumed and three persons were injured. The Safety Board was unable to determine the cause of the initial derailment because much of the physical evidence was destroyed by succeeding derailling cars, and by the fire and explosions. The Board cited the tankhead punctures for the injuries, and for damage which was estimated at more than \$800,000.

In addition to its firefighting-procedure recommendations, the Safety Board reiterated a June 18, 1975, recommendation, No. R-75-19, to the Federal Railroad Administration to determine the capabilities of protective steel shields for tank car heads, and of top and bottom shelf couplers—those with horizontal shields above and below coupler knuckles to prevent their separating vertically under derailment impacts—or a combination of both and to require that jumbo tank cars be equipped with the best practical combination. This recommendation initially was made in report No. NTSB-75-4 concerning the Norfolk & Western Railway switchyard accident which occurred at Chicago, Illinois, on July 19, 1974. (See 40 FR 27082, June 26, 1975.)

Letters in Response to Safety Board Recommendations.—During the past week, letters concerning previously issued recommendations were received by the Board from the Federal Aviation Administration, the U.S. Coast Guard, and the New York City Transit Authority, as follows:

Federal Aviation Administration letter of August 18 responds to recommendations A-76-73 through A-76-75 concerning evacuation duty assignments for flightcrews (41 FR 24639, June 17, 1976).

FAA states that Continental Air Lines' manuals are being modified to conform to recommendation A-76-73, and FAA anticipates that these changes will be completed by September 13. FAA notes, re A-76-73 and A-76-74, that an Air Carrier Operations Bulletin is being prepared that will incorporate both recommendations, estimated date of publication August 31.

FAA letter of August 17 concerns air carrier takeoff and climb procedures, subject of recommendation A-76-76, issued June 9. (See 41 FR 24639, June 17, 1976.) FAA says that it does not presently have airborne techniques or procedures which can accommodate the large wind shears encountered by the crew of Continental Air Lines Flight 426 which crashed August 7, 1975, after takeoff from Stapleton International Airport in Denver, Colorado. FAA's present procedures are designed to provide the pilot with a guaranteed takeoff/climb performance when confronted with engine failure and other adverse factors such as turbulence, flight technical error, etc. FAA believes that the best procedure possible is for the crew to avoid or delay takeoffs under conditions of high wind shear. To accomplish this, FAA is installing sensors (anemometers and microbarographs) at several key airports, including Stapleton, which are capable of detecting wind patterns and the passage of thunderstorm/gust fronts on and in the vicinity of these airports. Although FAA is now reviewing takeoff procedures, the agency comments " * * * it is improbable that any transport aircraft could sustain such a sudden decrease in lift without altitude loss (during the wind condition encountered by the Continental crew), unless an extreme and exorbitantly high airspeed has been achieved immediately after the takeoff. Within the constraints of our existing runway lengths, such high airspeeds would be potentially unsafe, and in many cases, unachievable." The letter notes that an Advisory Circular (00-50) on Low Level Wind Shear was published on April 8, stating, in part, "On approach and when in doubt, or conditions are not right, execute a missed approach. When on the ground, be assured that conditions are right before takeoff."

FAA letter of August 18 responds to recommendation A-76-89 which would prohibit occupancy of the jump seat on G-159 and G-1159 model aircraft, and require a placard, until the aircraft has been modified structurally so that the nose landing gear drag strut cannot penetrate the cockpit floor. (See 41 FR 28043, July 8, 1976.) FAA has analyzed the problem and concludes that "the probability of injury due to this condition is insufficient to warrant the severe operational restriction proposed." FAA has ascertained that redesign kits will be available by December 1, 1976. FAA will require installation of the kit as its final action.

Coast Guard letter of August 17 provides additional information as requested by the Safety Board concerning 13 recommendations discussed at a USCG/

NTSB meeting held July 13. Concerning recommendations M-69-53, M-70-2, M-71-4, and M-76-10, Coast Guard states that proposed regulations are being drafted to require lights on life preservers. Re M-74-10, concerning examination of towing vessels for lifesaving equipment, Coast Guard states that it has increased its boarding of vessels of all types, mainly in response to the requirement for enforcement of recent legislation and regulations. Coast Guard examines the vessel's lifesaving equipment as opportunity permits.

Regarding M-74-14, which asked for regulations requiring that vessels be aligned with channel bridge opening before vessels reach a point equal to ships' stopping distance from the bridge, Coast Guard states that a regulation of this type would be impossible to abide by in many bridge approaches due to bends in the channel. Coast Guard will consider the channel alignment criteria when evaluating sites for construction of future bridges. In answer to M-74-15, Coast Guard refers to the May 6, 1976, publication in the FEDERAL REGISTER of a proposed regulation which would require a master pilot conference prior to any restricted maneuver. Re M-74-16, Coast Guard states that implementing regulations were published in the FEDERAL REGISTER on January 15, 1975, requiring the posting on vessel bridges of information concerning stopping distances and turning radii for various speeds and loaded conditions. Answering recommendation M-75-4, Coast Guard states that the description of Kaslokan Point Light in the Coast Guard Light List CG-162, Vol. III, 1976, has been corrected. Also, pastedon chartlets correcting NOS Chart 8703 were issued with Local Notice to Mariners No. 19, dated May 13, 1975. M-75-8 asked that USCG and Navy collaborate on developing capability for civilian submersible rescue operations; Coast Guard responds: "This recommendation has been adopted in part in that a study of worldwide submersible resources has been jointly funded by the Navy and Coast Guard. Also the Navy, Coast Guard and NOAA will sponsor a submersible safety seminar in 1977."

In answer to M-75-9, Coast Guard states that Part 156 of regulations published in the FEDERAL REGISTER December 21, 1972, effective July 1, 1974, is "quite specific concerning the qualifications and responsibilities of supervisory personnel. In particular they prohibit a person serving as person in charge of both the vessel and the facility during oil transfer operations. Also, the regulations require that persons in charge be present at all times during transfer operations."

M-75-11 asked that the Coast Guard, for at least 1 year, thoroughly investigate all oil pollution incidents involving cargo transfer spills to evaluate the adequacy of 33 CFR Parts 154 through 156. Coast Guard responded: "Evaluation of oil pollution incidents and the adequacy of 33 CFR Part 154 through 156 was ongoing at the time this recommendation was made and has continued for approxi-

mately 2½ years. Also during this period comments have been solicited from industry and this input plus information gleaned from our investigations is being utilized to prepare a Notice of Proposed Rulemaking."

With reference to M-75-18, asking for a program to advise the public of problems and means of survival in cold water, Coast Guard has published and is now distributing a pamphlet, "A Pocket Guide to Cold Water Survival." Also, several major articles on hypothermia have been published in Coast Guard's "Proceedings of the Marine Safety Council." Coast Guard indicates that a proposed regulation will soon be published requiring manufacturers of personnel flotation devices to include a pamphlet with each "PFD" they market which includes information on care and use of lifesaving devices, boating safety tips, and a paragraph on hypothermia.

New York City Transit Authority letter of August 16 concerns automatic train control systems (ATC) recommendations R-76-42 through R-76-44, issued August 1. (See 41 FR 34125, August 12, 1976.) The letter notes that all trains on New York City Transit system are operated manually by motormen. Their operation is governed by intermittent ATC, equipped with trip stops and wayside signals. When a malfunction occurs, the Authority requires the motorman to stop at a red (stop) signal. He may proceed when (1) an employee whom the motorman knows is permitted to do so gives a signal to go ahead which the motorman knows is meant for him, or (2) he calls the Desk Trainmaster by radio and is told to proceed. The Authority plans to introduce continuous ATC, with cab signalling, on its new lines. Trains with inoperative ATC equipment will not be permitted to go into service. The Authority further indicates that communication facilities are being constantly checked; all radios are tested daily before use, and emergency telephones are distributed throughout the system, generally every 600 feet.

Safety Board Reply to Recommendation Response.—Board letter of August 24 replies to Material Transportation Bureau letter of July 30 (41 FR 34126, August 12, 1976) re recommendations P-76-9 through P-76-11 regarding the Consolidated Edison Company accident in New York City, April 22, 1974. The Board will hold in "open" status recommendations P-76-9 and P-76-11, and asks for a conference with MTB staff re P-76-10.

The special study, the accident reports, and the safety recommendation letters are available to the general public; single copies may be obtained without charge. Copies of the letters responding to recommendations, and Safety Board replies thereto, may be obtained at a cost of \$4.00 for reproduction. All requests must be in writing, identified by report or recommendation number and date of publication of this FEDERAL REGISTER notice. Address inquiries to: Publications Unit, National Transportation Safety Board, Washington, D.C. 20594.

Multiple copies of the special study and the accident reports may be purchased by mail from the National Technical Informa-

tion Service, U.S. Department of Commerce, Springfield, Virginia 22151.

(Secs. 304(a) (2) and 307 of the Independent Safety Board Act of 1974 (Pub. L. 93-633, 88 Stat. 2169, 2172 (49 U.S.C. 1903, 1907)).)

MARGARET L. FISCHER,
Federal Register Liaison Officer.

AUGUST 30, 1976.

[FR Doc.76-25797 Filed 9-1-76;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-313]

ARKANSAS POWER & LIGHT CO.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 13 to Facility Operating License No. DPR-51, issued to Arkansas Power & Light Company (the licensee), which revised Technical Specifications for operation of the Arkansas Nuclear One—Unit No. 1 (the facility) located in Pope County, Arkansas. The amendment is effective as of its date of issuance.

The amendment (1) revised the provisions in the Technical Specifications relating to limiting conditions for operation and surveillance requirements for the facility emergency pond and (2) corrected a reference error in Specification 4.4.1.3.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d) (4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated March 3, 1976, (2) Amendment No. 13 to License No. DPR-51, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Arkansas Polytechnic College, Russellville, Arkansas 72801. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 16th day of August, 1976.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors
Branch No. 2, Division of
Operating Reactors.

[FR Doc. 76-25406 Filed 9-1-76; 8:45 am]

[Docket No. 50-293]

BOSTON EDISON CO.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 19 to Facility Operating License No. DPR-35, issued to Boston Edison Company (the licensee), which revised technical specifications for operation of Unit No. 1 of the Pilgrim Nuclear Power Station (the facility) located near Plymouth, Massachusetts. The amendment is effective as of its date of issuance.

The amendment (1) corrects errors in the letter designations identifying various inspection categories of Table 4.6.1—"In-service Inspection Requirements for Pilgrim Nuclear Power Station", (2) deletes a requirement to examine a specific percentage of various components during each refueling outage, (3) specifies that portions of the vessel closure studs and vessel closure stud bushings that are not accessible for inspection need be inspected only when they are exposed during the inspection interval, (4) corrects an error in the original specification by redesignating certain piping welds from Category F-3 to Category J, and (5) deletes inspection requirements for welds that were on sections of piping that have been removed from the reactor.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of the amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated April 1, 1975 and supplements thereto dated March 1, 1976 and May 13, 1976, (2) Amendment No. 19 to License No. DPR-35, and (3) the Commission's concurrently issued related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Plymouth Public Library on

North Street in Plymouth, Massachusetts 02360.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 16th day of August, 1976.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors
Branch No. 2, Division of
Operating Reactors.

[FR Doc. 76-25405 Filed 9-1-76; 8:45 am]

[Docket No. 50-261]

CAROLINA POWER AND LIGHT CO.

Issuance of Amendment to Facility Operating License and Negative Declaration

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 23 to Facility Operating License No. DPR-23 issued to Carolina Power & Light Company which revised technical specifications for operation of the H. B. Robinson Steam Electric Plant Unit No. 2, located in Darlington County, Hartsville, South Carolina. The amendment is effective as of its date of issuance.

The amendment changes the technical specifications by eliminating a requirement to sample benthic organisms and substituting a requirement to sample aquatic vegetation as part of the radiological surveillance program.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has prepared an environmental impact appraisal for the revised Technical Specifications and has concluded that an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to the action other than that which has already been predicted and described in the Commission's Final Environmental Statement for the H. B. Robinson Steam Electric Plant Unit No. 2, and that a negative declaration to this effect is appropriate.

For further details with respect to this action, see (1) the application for amendment dated November 1, 1974, (2) Amendment No. 23 to License No. DPR-23, and (3) the Commission's Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Hartsville Memorial Li-

brary, Home and Fifth Avenues, Hartsville, South Carolina.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 10th day of August 1976.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors
Branch No. 4, Division of
Operating Reactors.

[FR Doc. 76-25401 Filed 9-1-76; 8:45 am]

[Docket No. 50-324]

CAROLINA POWER AND LIGHT CO.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 20 to Facility Operating License No. DPR-62 issued to Carolina Power and Light Company which revised Technical Specifications for operation of the Brunswick Steam Electric Plant, Unit No. 2, located in Brunswick County, North Carolina. The amendment is effective as of its date of issuance.

This amendment (1) lowers the main steamline low pressure isolation setpoint from 850 to 825 psig, (2) makes miscellaneous corrections and clarifications, and (3) clarifies the action to be taken in the event that the Rod Block Monitor is inoperable for more than 24 hours.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with item (1) above was published in the FEDERAL REGISTER on March 29, 1976 (41 FR 12931). No request for a hearing or petition for leave to intervene was filed following notice of this proposed action. Prior public notice of items (2) and (3) was not required since this amendment does not involve significant hazards considerations.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the applications for amendment dated December 19, 1975 and March 22, 1976, (2) Amendment No. 20 to License No. DPR-62, and (3) the Commission's Safety Evaluation. All of these

items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555, and at the Southport Brunswick County Library, 109 W. Moore Street, Southport, North Carolina 28461. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 11th day of August 1976.

For the Nuclear Regulatory Commission.

A. SCHWENCER,
Chief, Operating Reactors
Branch #1, Division of Operating Reactors.

[FR Doc.76-25408 Filed 9-1-76; 8:45 am]

[Docket No. 50-213]

CONNECTICUT YANKEE ATOMIC POWER CO.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 10 to Facility Operating License No. DPR-61, issued to Connecticut Yankee Atomic Power Company for operating of the Haddam Neck Plant, located in Middlesex County, Connecticut. The amendment is effective as of the date of issuance.

The amendment revises the Technical Specifications to provide for the curves for allowable power vs. incore axial offset based on the Babcock and Wilcox FLAME 3 code. These curves are applicable to fuel Cycle VII.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with this action was published in the FEDERAL REGISTER on June 8, 1976 (41 FR 22998). No request for a hearing or petition for leave to intervene was filed following notice of the proposed issuance.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5 (d)(4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated May 3, 1976, as supplemented June 22, 1976, (2) Amendment No. 10 to License No. DPR-61, and (3) the Commission's related Safety Evaluation. All of these items are available for

public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Russell Library, 119 Broad Street, Middletown, Connecticut 06457. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 9th day of August 1976.

For the Nuclear Regulatory Commission.

THOMAS V. WAMBACH,
Acting Chief, Operating Reactors
Branch No. 1, Division of Operating Reactors.

[FR Doc.76-25398 Filed 9-1-76; 8:45 am]

[Docket No. 50-409]

DAIRYLAND POWER COOPERATIVE

Issuance of Amendment to Provisional Operating License

The Nuclear Regulatory Commission (the Commission) has issued Amendment No. 6 to Provisional Operating License No. DPR-45 issued to Dairyland Power Cooperative (the licensee) which revised Technical Specifications for operation of the LaCrosse Boiling Water Reactor (LACBWR), located in Vernon County, Wisconsin. The amendment is effective as of its date of issuance.

This amendment adds provisions in the Technical Specifications for operation of LACBWR with a second emergency on-site power supply and incorporates changes resulting from other plant modifications. Installation of the redundant on-site source of emergency power and associated modifications to LACBWR were performed to achieve compliance with the Commission's Interim Acceptance Criteria for Emergency Core Cooling Systems for Light Water Power Reactors set forth in the Commission's Interim Policy Statement (36 F.R. 12247, June 29, 1971).

The applications for the amendment comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the applications for amendment dated June 24 and July 12,

1976, (2) Amendment No. 6 to License No. DPR-45, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the La Crosse Public Library, 800 Main Street, La Crosse, Wisconsin. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 12th day of August 1976.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors
Branch No. 4, Division of Operating Reactors.

[FR Doc.76-25396 Filed 9-1-76; 8:45 am]

[Dockets Nos. 50-269, 50-270, and 50-287]

DUKE POWER CO.

Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 30, 30, and 27 to Facility Operating Licenses Nos. DPR-38, DPR-47, and DPR-55, respectively, issued to Duke Power Company which revised the licenses for operation of the Oconee Nuclear Station, Units Nos. 1, 2, and 3, located in Oconee County, South Carolina. The amendments are effective as of the date of issuance.

The amendments revise the restriction governing the duration of Cycle 1 for Unit No. 3 to allow operation to September 18, 1976.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of the amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendment dated August 6, 1976, (2) Amendments Nos. 30, 30, and 27 to License Nos. DPR-38, DPR-47, and DPR-55, respectively, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Wash-

ington, D.C. and at the Oconee County Library, 201 South Spring Street, Walhalla, South Carolina 29691. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 16th day of August 1976.

For the Nuclear Regulatory Commission.

A. SCHWENCER,
Chief, Operating Reactors
Branch #1, Division of Operating Reactors.

[FR Doc.76-25400 Filed 9-1-76;8:45 am]

[Docket No. 50-389]

FLORIDA POWER & LIGHT CO. (ST. LUCIE NUCLEAR POWER PLANT, UNIT NO. 2)

Cancellation of Hearing

By Order dated August 3, 1976, the Licensing Board set September 8-10, 1976 for an evidentiary hearing on the matters remanded by ALAB-335. That evidentiary session is hereby cancelled.

A hearing will be rescheduled for a later time when it appears feasible to consider, in addition to the matters remanded by ALAB-335, 1) the issue of ECCS compliance with the requirements of 10 CFR Part 50, Appendix K (see Regulatory Staff's "Motion to Reopen the Record on the Emergency Core Cooling System," dated August 12, 1976); and, 2) any issues presented by Intervenor's July 28, 1976 "Motion to Reconsider Contention 1.3 Need for Power and Conservation of Energy" if that motion, or any part of it, should ultimately be granted.

It is so ordered.

Dated at Bethesda, Maryland this 23rd day of August 1976.

The Atomic Safety and Licensing Board.

EDWARD LUTON,
Chairman.

[FR Doc.76-25402 Filed 9-1-76;8:45 am]

[Docket No. 50-289]

METROPOLITAN EDISON CO., ET AL.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 19 to Facility Operating License No. DPR-50, issued to Metropolitan Edison Company, Jersey Central Power and Light Company, and Pennsylvania Electric Company which revised Technical Specifications for operation of the Three Mile Island Nuclear Station, Unit No. 1, located in Dauphin County, Pennsylvania. The amendment is effective as of its date of issuance.

The amendment revises the Technical Specifications to require positive blocking of electrical power to the Core Flood Tank vent valves except under specified conditions and to require periodic vent-

ing of the pumps and lines associated with the Low Pressure Injection and High Pressure Injection Systems.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated July 12, 1976, (2) Amendment No. 19 to License No. DPR-50, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Government Publications Section, State Library of Pennsylvania, Box 1601 (Education Building), Harrisburg, Pennsylvania.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 23rd day of August 1976.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors
Branch No. 4, Division of Operating Reactors.

[FR Doc.76-25397 Filed 9-1-76;8:45 am]

NIAGARA MOHAWK POWER CORP.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 12 to Facility Operating License No. DPR-63 issued to Niagara Mohawk Power Corporation which revised technical specifications for operation of the Nine Mile Point Nuclear Station Unit No. 1, located in Oswego County, New York. The amendment is effective as of its date of issuance.

The amendment will incorporate exposure-dependent assembly averaged power-vold relationship limits into the Nine Mile Point Nuclear Station Unit No. 1 Technical Specifications.

The application for the amendment complies with the standards and require-

ments of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations to 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated May 19, 1976, and supplement dated August 3, 1976, (2) Amendment No. 12 to License No. DPR-63, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Oswego City Library, 120 E. Second Street, Oswego, New York 13126.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 20th day of August, 1976.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors
Branch No. 3, Division of Operating Reactors.

[FR Doc.76-25409 Filed 9-1-76;8:45 am]

[Docket No. STN 50-484]

NORTHERN STATES POWER CO. (TYRONE ENERGY PARK, UNIT 1)

Order and Notice of Evidentiary Hearing

AUGUST 19, 1976.

The evidentiary hearing on the application for a construction permit for Nuclear Generating Unit No. 1, Tyrone Energy Park, will commence at 10:00 a.m. September 28, 1976 at the County Board Room, Eau Claire County Courthouse, Second Floor, 721 Oxford Avenue, Eau Claire, Wisconsin 54701. Evidence will be received with respect to radiological health and safety matters. This phase of the hearing is expected to continue for about two weeks. The environmental phase if the evidentiary hearing is planned for Spring of 1977.

The public is invited to attend. Any person who has requested an opportunity to make a limited appearance may make an oral statement or may file a written statement. The length of oral statements may be limited depending upon time requirements. Those making or filing lim-

ited appearance statements may comment upon any aspect of the proposed nuclear facility. Written statements already filed with the Nuclear Regulatory Commission will be considered by the Board whether or not the person filing such statement appears at the evidentiary hearing. Upon request and demonstrated need, the Board may schedule one or more evening sessions for those able to be heard during the regular daytime sessions.

It is so ordered.

Dated at Bethesda, Maryland this 19th day of August 1976.

For the Atomic Safety and Licensing Board.

IVAN W. SMITH,
Chairman.

[FR Doc.76-25410 Filed 9-1-76;8:45 am]

[Docket No. STN 50-437]

OFFSHORE POWER SYSTEMS (FLOATING NUCLEAR POWER PLANTS)

Reconstitution of Board

Thomas W. Reilly, Esq., was Chairman of the Atomic Safety and Licensing Board for the above proceeding. Mr. Reilly is leaving the Atomic Safety and Licensing Board Panel and therefore is unable to continue his service on this Board.

Accordingly, Sheldon J. Wolfe, Esq., whose address is Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, is appointed Chairman of this Board. Reconstitution of the Board in this manner is in accordance with Section 2.721 of the Commission's Rules of Practice, as amended.

Dated at Bethesda, Maryland this 23rd day of August 1976.

ROBERT M. LAZO,
Acting Chairman, Atomic
Safety and Licensing Board
Panel.

[FR Doc.76-25404 Filed 9-1-76;8:45 am]

[Docket Nos. STN 50-477 and STN 50-478]

PUBLIC SERVICE ELECTRIC AND GAS CO. (ATLANTIC NUCLEAR GENERATING STATION, UNITS 1 AND 2)

Reconstitution of Board

Thomas W. Reilly, Esq., was Chairman of the Atomic Safety and Licensing Board for the above proceeding. Mr. Reilly is leaving the Atomic Safety and Licensing Board Panel and therefore is unable to continue his service on this Board.

Accordingly, Sheldon J. Wolfe, Esq., whose address is Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, is appointed Chairman of this Board. Reconstitution of the Board in this manner is in accordance with Section 2.721 of the Commission's Rules of Practice, as amended.

Dated at Bethesda, Maryland this 23rd day of August 1976.

ROBERT M. LAZO,
Acting Chairman, Atomic
Safety and Licensing Board
Panel.

[FR Doc.76-25403 Filed 9-1-76;8:45 am]

[Docket No. 50-312]

SACRAMENTO MUNICIPAL UTILITY DISTRICT

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 7 to Facility Operating License No. DRP-54 issued to Sacramento Municipal Utility District which revised Technical Specifications for operation of the Rancho Seco Nuclear Generating Station, located in Sacramento County, California. The amendment is effective as of its date of issuance.

The amendment provides for (1) the removal of surveillance capsules during the remainder of Cycle 1 and (2) surveillance Technical Specifications to confirm that no internal vent valves are stuck open. The amendment implements an exemption given by the Commission to allow operation of the Rancho Seco reactor with the surveillance specimens removed from the reactor vessel during Cycle 1.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated April 8, 1976, as supplemented April 28, 1976 and May 21, 1976, (2) Amendment No. 7 to License No. DRP-54, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room 1717 H Street, N.W., Washington, D.C., and at the Business and Municipal Department, Sacramento City-County Library, 828 I Street, Sacramento, California.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Wash-

ington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 13th day of August 1976.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors
Branch #4, Division of Operating Reactors.

[FR Doc.76-25399 Filed 9-1-76;8:45 am]

[Docket No. 50-296]

TENNESSEE VALLEY AUTHORITY

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 2 to Facility Operating License No. DPR-68 issued to Tennessee Valley Authority which revised Technical Specifications for operation of the Browns Ferry Nuclear Plant, Unit 3, located in Limestone County, Alabama. The amendment is effective as of its date of issuance.

A full-power, full-term operating license was issued on July 2, 1976. Activities were limited temporarily by restrictions contained in the Technical Specifications to fuel loading and associated control rod motion necessary to assure fuel loading in a safe manner until the following matters have been resolved: (1) approval by the Commission's staff of certain matters relating to fire prevention and protection; (2) approval by the Commission's staff of the evaluation of (a) suppression pool hydrodynamic loads during a loss-of-coolant accident; and (b) Dynamic loads associated with relief valve operation; (3) approval by the Commission's staff of evaluation of the performance of the modified residual heat removal pumps during a postulated loss-of-coolant accident; and (4) a report by the Commission's Office of Inspection and Enforcement that the following matters have been satisfactorily resolved: (a) the reported clogged waterlines to the residual heat removal and control rod pump bearing coolers and (b) the installation of a second isolation valve in the 1-inch demineralized water system pipe that penetrates the drywell.

These matters were addressed in the Commission's Supplement No. 9 to the Safety Evaluation Report issued August 2, 1976. On that date, the Commission issued Amendment No. 1 to the facility operating license limiting operation to 1 percent power by deleting and replacing the above temporary restrictions with a single new temporary restriction relating to the completion of the detailed fire protection procedures and training program by the Tennessee Valley Authority.

This amendment deletes the temporary restriction contained in Amendment No. 1 thus authorizing operation of the Browns Ferry Nuclear Plant Unit 3 at a steady state reactor core power level of 3293 megawatts thermal. Deletion of this temporary restriction is based on the

[Docket No. 50-286]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND POWER AUTHORITY OF THE STATE OF NEW YORK**Proposed Issuance of Amendment to Facility Operating License**

The Nuclear Regulatory Commission (the Commission) is considering the issuance of an amendment to Facility Operating License No. DPR-64 issued to Consolidated Edison Company of New York, Inc. and the Power Authority of the State of New York (the licensees) for operation of the Indian Point Nuclear Generating Unit No. 3 (the facility), located in Westchester County, New York.

In accordance with the licensees' application for a license amendment dated June 28, 1976, the amendment would modify the Technical Specifications by providing additional conditions for the storage of the spent fuel. The amendment would also permit modification of the spent fuel element storage pool in order to provide for additional storage capacity for spent fuel in accordance with the licensees' proposal dated June 28, 1976.

Prior to issuance of the proposed license amendment and prior to approval of the proposed modification, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The license amendment and the modification to the spent fuel element storage pool will not be approved until the Commission has reviewed the safety aspects and has concluded that approval of the license amendment and the modification will not be inimical to the common defense and security or to the health and safety of the public.

By October 4, 1976, the licensees may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to issuance of the amendment to the facility operating license and to the approval of the modification to the facility spent fuel element storage pool. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, Nuclear Regulatory Commission, Washington, D.C. 20555, and to Arvin E. Upton, Esq., 1757 N Street, N.W., Washington, D.C. 20036, attorney for the licensees.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the licensees' application for amendment and proposal to modify the spent fuel pool dated June 28, 1976, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York.

Dated at Bethesda, Maryland, this 25th day of August 1976.

For the Nuclear Regulatory Commission,

ROBERT W. REID,
Chief, Operating Reactors
Branch #4, Division of Operating Reactors.

[FR Doc.76-25842 Filed 9-1-76;8:45 am]

[Docket RM-50-5]

MIXED OXIDE FUEL (GESMO)

Availability of Health, Safety and Environmental Portion of the Final Generic Environmental Statement on the Use of Recycle Plutonium in Mixed Oxide Fuel in Light Water Cooled Reactors (Report No. NUREG-0002)

On November 14, 1975, the Nuclear Regulatory Commission (NRC) published in the FEDERAL REGISTER (40 FR 53056) its conclusions regarding the scope, procedures, and schedule for the Generic Environmental Statement on the Use of Recycle Plutonium in Mixed Oxide Fuel in LWR's (GESMO). Notice is hereby given that the health, safety, and environmental portion of the final GESMO report (identified as report number NUREG-0002) has been prepared by the NRC's Office of Nuclear Material Safety and Safeguards and is available for inspection by the public at the NRC's Public Document Room at 1717 H Street, N.W., Washington, D.C., and at the NRC's Local Public Document Rooms. A draft Safeguards Supplement to the GESMO report will be released as

satisfactory completion and resolution, as reported by the Commission's Office of Inspection and Enforcement, of the detailed fire protection procedures and the content of the fire training program in accordance with the fire protection criteria delineated in Section 2.0 of "Supplement Number 2 to the Safety Evaluation Supporting the Operation After the Restoration and Modification of the Browns Ferry Nuclear Plant, Units 1 and 2 Following the March 22, 1975 Fire," issued July 3, 1976. This action completes the licensing action encompassed in the "Notice of Consideration of Issuance of Facility Operating Licenses and Notice of Opportunity for Hearing Pursuant to 10 CFR Part 50, Appendix D, Section C," dated September 15, 1972.

Issuance of the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

For further details with respect to this action, see (1) Amendment No. 2 to License No. DPR-68, and (2) the Commission's related Safety Evaluation dated August 18, 1976. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Athens Public Library, South and Forrest, Athens, Alabama.

A copy of items (1) and (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Project Management.

Dated at Bethesda, Maryland, this 18th day of August, 1976.

For the Nuclear Regulatory Commission,

JOHN F. STOLZ,
Chief, Light Water Reactors
Branch No. 1, Division of Project Management.

[FR Doc.76-25407 Filed 9-1-76;8:45 am]

[Docket Nos. 50-259 O.L. & 50-260 O.L.]

TENNESSEE VALLEY AUTHORITY (BROWNS FERRY NUCLEAR PLANT, UNITS 1 & 2)**Assignment of Atomic Safety and Licensing Appeal Board**

Notice is hereby given that, in accordance with the authority in 10 CFR § 2.787(a), the Chairman of the Atomic Safety and Licensing Appeal Panel has assigned the following panel members to serve as the Atomic Safety and Licensing Appeal Board for this operating license proceeding:

Alan S. Rosenthal, Chairman
Dr. John H. Buck
Dr. Lawrence R. Quarles

Dated: August 25, 1976.

ROMAYNE M. SKRUTSKI,
Secretary to the Appeal Board.

[FR Doc.76-25395 Filed 9-1-76;8:45 am]

a separate report designated NUREG-0100 and will be available at the same locations at a later date for public review and comment.

Copies of the Final Generic Environmental Statement on the Use of Recycle Plutonium in Mixed Oxide Fuel in Light Water Cooled Reactors—Health, Safety and Environment (NUREG-0002) can also be purchased from the National Technical Information Service, Springfield, Virginia 22161.

BACKGROUND

On February 12, 1974, the Atomic Energy Commission (AEC) published a notice in the FEDERAL REGISTER that an environmental impact statement on the wide-scale use of mixed oxide fuel in light water cooled nuclear power reactors would be prepared (39 FR 5356). On August 21, 1974, notice was published in the FEDERAL REGISTER that the AEC's Directorate of Licensing had completed the draft environmental impact statement entitled "Generic Environmental Statement Mixed-Oxide Fuel," and that comments on the draft statement were requested from interested persons (39 FR 30186). Numerous comments on the draft statement were received. On December 10, 1974, advance notice was published in the FEDERAL REGISTER that a public hearing would be held on GESMO; persons interested in participation were requested to notify the Secretary of the AEC (39 FR 43101).

The Energy Reorganization Act of 1974 abolished the AEC and transferred its regulatory functions to a new independent agency, the Nuclear Regulatory Commission (NRC), which began official operation on January 19, 1975. The new NRC was responsible for the generic environmental statement and related regulatory aspects of the wide-scale use of recycle plutonium in the fuel of LWR's.

In a FEDERAL REGISTER notice on May 8, 1975 (40 FR 20142) the NRC published its provisional view that a cost-benefit analysis of alternative safeguards programs should be prepared and set forth in draft and final environmental impact statements before a Commission decision is reached on wide-scale use of mixed oxide fuel in light water nuclear reactors; that provisional view also included guidelines for resolving individual applications for licenses to use mixed oxide fuel.

The NRC requested public comments on whether the provisional views should be adopted as final.

On November 14, 1975, after consideration of public comments on its provisional views, the Commission published in the FEDERAL REGISTER (40 FR 53056) its final conclusions on the decisional course it would follow on the matter of wide-scale use. The Commission directed its staff to prepare a safeguards supplement to the August 1974 draft environmental statement. The draft supplement, to be released for public comment later in 1976, will include an analysis of the costs and benefits of

alternative safeguards programs, a recommendation as to safeguards requirements associated with wide-scale use of mixed oxide fuel, and an overall cost-benefit analysis of wide-scale use, including health, safety, environmental and safeguards factors. The Commission also directed its staff to expedite preparation of those portions of the final environmental statement dealing with health, safety and environmental matters. In preparing this document, now available to the public, the comments received on the 1974 draft GESMO were taken into account.

The Commission indicated in the November 14, 1975 notice that the public will continue to be afforded the opportunity to participate in the Commission's decision on wide-scale use of recycle plutonium in LWR fuels, not only by submission of written comments on the draft of the Safeguards Supplement, but also by participating in the public hearings which will be held following issuance of each portion of the final environmental impact statement.

On July 29, 1976 the NRC published in the FEDERAL REGISTER (41 FR 31621) a Notice of Appointment of the members of the special board to conduct the hearing on the final environmental impact statement and the proposed rules regarding wide-scale use of mixed oxide fuel in light water nuclear power reactors. On August 12, 1976 the Chairman of the Hearing Board, George Bunn, Esq., published in the FEDERAL REGISTER (41 FR 34123) a Notice of the Prehearing Conference to take place on September 15, 1976 at Washington, D.C.

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS; SUBCOMMITTEE ON REGULATORY GUIDES

Addition to Agenda

The agenda of the September 8, 1976 meeting of the ACRS Subcommittee on Regulatory Guides has been amended to include discussion of working papers on Regulatory Guide 1.XXX, "Design Guidance for Radioactive Waste Management Systems Installed in Light-Water-Cooled Nuclear Power Reactor Plants" during that portion of the meeting which will convene in closed session with the NRC Staff and any consultants at about 11 a.m.

I have determined, in accordance with subsection 10(d) of Pub. L. 92-463, that it is necessary to consider this matter in closed session to protect the free interchange of internal views in the final stages of the Subcommittee's deliberative process and to prevent predecisional disclosure of internal memoranda of the NRC Staff (5 U.S.C. 552 (b) (5)). Separation of factual material from individuals' advice, opinions, and recommendations while closed Executive Sessions are in progress is considered impractical.

Announcement of this meeting was made in FR Vol. 41, August 23, 1976, page 35577.

All other matters pertaining to this meeting remain the same.

Dated: August 30, 1976.

JOHN C. HOYLE,
Advisory Committee
Management Officer.

[FR Doc. 76-25841 Filed 9-1-76; 8:45 am]

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

ADMINISTRATIVE LAW CASES

Delegation of Authority to Executive Secretary

Notice is hereby given pursuant to § 551(a) (1) of the Freedom of Information Act (5 U.S.C. 551) that the Commission has adopted a Delegation of Authority and Direction for the Executive Secretary in connection with his handling of administrative law cases at the Commission. The Delegation, a copy of which is attached as an appendix to this notice, is effective immediately. Although the Delegation is presently in effect, the Commission wishes to encourage public participation in its process. Therefore will accept comments on the Delegation from all interested parties up to and including October 4, 1976. All comments should be addressed to: OSHRC Executive Secretary, 1825 K Street, N.W., Washington, D.C., 20006. All comments will be reviewed by the Commissioners, and the substance of the Delegation is subject to change based upon the comments received. All comments will be available for inspection at the Office of the Executive Secretary at the above address both before and after the closing date.

Dated: August 30, 1976, at Washington, D.C.

FOR THE COMMISSION.

WILLIAM S. McLAUGHLIN,
Executive Secretary.

DELEGATION OF AUTHORITY AND DIRECTION FOR THE EXECUTIVE SECRETARY

The Executive Secretary shall act for the Members of the Commission on the following matters in those cases which are not pending with an Administrative Law Judge:

1. Grant motions to consolidate where there is no opposition and the motion conforms to Commission Rule 9. Also consolidate those cases which arise out of the same citation and where one case is a notice of contest and another case is a petition for modification of abatement. All parties shall be notified of the consolidation and shall be given an opportunity to object within ten days after such notice and to state reasons therefor. If a timely objection is made, the matter shall be referred for disposition to the Chief Administrative Law Judge.

2. Grant settlement agreements when properly served and consented to or unopposed, dismiss Notices of Contest where Respondent fails to comply with filing or service requirements of the Rules, grant motions to withdraw Notices of Contest, grant motions to vacate citations and proposed penalties, grant motions for extensions of time for filing pleadings or briefs not in excess of 30 days, if such motions are timely

filed and served and if consented to or unopposed to and if in the opinion of the Executive Secretary the granting of the same would not prejudicially delay the work of the Commission. Any motion, the granting of which would extend the time for filing of pleadings to any date in excess of 30 days beyond the time provided for in the Commission's Rules of Procedure, shall be referred for disposition to the Chief Administrative Law Judge.

3. The Executive Secretary may, in his discretion, submit any motion upon which he is authorized to act to the Chief Administrative Law Judge for disposition except for motions filed in cases pending with the Commission Members following any action on the case by an Administrative Law Judge. Motions in such cases may be acted upon only by the Members of the Commission.

4. Orders by the Executive Secretary granting motions upon which he is authorized to act as hereinbefore provided shall be entered on the docket and all parties shall be promptly notified thereof. Any interested party adversely affected by an order so entered shall be entitled to reconsideration thereof if, within ten days after the Executive Secretary mails notice of the entry of the order, such party serves and files a motion for reconsideration, setting forth the grounds therefor. The Executive Secretary shall submit the motion for reconsideration to the Chief Administrative Law Judge for disposition.

5. The Chief Administrative Law Judge is empowered to subdelegate to other ALJs his duties under these rules.

Dated: Aug. 26, 1976.

FRANK R. BARNAKO,
Chairman.

Dated: Aug. 26, 1976.

ROBERT D. MORAN,
Commissioner.

Dated: Aug. 26, 1976.

TIMOTHY F. CLEARY,
Commissioner.

[FR Doc. 76-25793 Filed 9-1-76; 8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

PRIVACY ACT OF 1974

Reports on New Systems

The purpose of this notice is to list reports on new systems filed with the Office of Management and Budget to give members of the public the opportunity to make inquiries about them and to comment on them.

The Privacy Act of 1974 requires that agencies give advance notice to the Congress and the Office of Management and Budget of their intent to establish or modify systems of records subject to the Act (5 U.S.C. 552a(c)). During the period July 26 through August 6, 1976 the Office of Management and Budget received the following reports on new (or revised) systems of records.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

System Name: Service Officer Demonstration Project.

Report date: August 5, 1976.

Agency Point of contact: Mrs. Sarah M. Juni, Director, Office of Intergovernmental Relations and Public Concerns, Office of External Affairs, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235.

DEPARTMENT OF COMMERCE

System Name: Employee Daily Time and Productivity Records.

Report date: August 11, 1976.

Agency Point of Contact: Mr. Joseph O. Smirardo, Director, Office of Organization and Management Systems, U.S. Department of Commerce, Washington, D.C. 20230.

PHILLIP D. LARSEN,
Acting Assistant to the
Director for Administration.

[FR Doc. 76-25685 Filed 9-1-76; 8:45 am]

SMALL BUSINESS ADMINISTRATION

[Proposed License No. 06/06-0184]

TSM CORP.

Application for a License as a Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to § 107.102 of the Regulations governing small business investment companies (13 CFR § 107.102 (1976)), under the name of TSM Corp., 1000 Hawkins Boulevard, El Paso, Texas 79990, for a license to operate as a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended (the Act), and the Rules and Regulations promulgated thereunder.

The proposed officers, directors, and shareholders are as follows:

Tom D. Billington, President, Director, 6840 Pino Real, El Paso, Texas 79915.
Harry S. Cook, Vice President, General Manager, Director, 6953 Granero, El Paso, Texas 79915.
Ken F. Ledbetter, Vice President, Director, 517 S. Granite, Deming, New Mexico 88030.
Alvin D. Roederer, Treasurer, Director, 4528 Bobolink, El Paso, Texas 79922.
Fred Davidoff, Secretary, Director, 4329 Buckingham Drive, El Paso, Texas 79905.
Ralph Wm. Scoggins, Director, 5820 Timberwolfe, El Paso, Texas 79903.
Thomas Hum, Director, Central Avenue, Bowie, Arizona 85605.
Jose A. Silva, Director, 1428 Camino Alto Road, El Paso, Texas 79902.
John C. Moyer, Director, 4433 N. Stanton, El Paso, Texas 79902.

Common
Stock
(Percent)

Tri-State Wholesale Associated Grocers, Inc.	43
Approximately 64 other shareholders with each owning less than 10.	57

The common stock, \$1.00 par value, represents the only class of stock.

The company will commence operations with a capitalization of \$450,000.

It is anticipated that future purchases of common stock will increase the capitalization to approximately \$1.0 million. This capital is being obtained through the offer and sale of common stock solely to bona fide residents of the State of Texas. These residents are customers of and/or members of Tri-State Wholesale Associated Grocers, Inc., a cooperative of retail grocers, located at 1000 Hawkins Boulevard, El Paso, Texas 79990. At the present time, the cooperative is comprised of approximately 130 members.

TSM Corp. was formed primarily to supply financing to small retail grocers to enable them to make improvements to existing facilities or to construct new facilities. The company will, however, pursuant to the provisions of § 107.101 (b) of the SBA rules and regulations, entertain applications from any potential borrower. Also, the small retail grocer is neither required to be a member of, nor to use the services of the cooperative.

A major portion of the issued and outstanding stock of TSM Corp., will be owned by the cooperative and its members. As such, they would be considered an "affiliated group" beneficially owning ten percent or more of the common stock of TSM Corp. Therefore, the proposed financings to member retail grocers would be subject to the conflict of interest provisions of § 107.1004(b)(1) of the regulations.

It is the intent of SBA to grant the Applicant a partial exemption from the restrictions of § 107.1004(b)(1) of the regulations in order to make it possible to finance, and thus help advance the best interests of, these small retail grocers. The partial exemption would extend only to the financial assistance provided by the Applicant to the small retail grocers who are members of the cooperative. Any financial assistance to other Associates of the Applicant, as defined by § 107.3 of the regulations, would not be exempt, and would fall within the purview of § 107.1004 of the regulations.

Further, in view of the distinctive nature of a cooperative of retail grocers operated for the mutual benefit of its members, SBA intends to grant an exemption to § 107.1004(b)(5) of the regulations to permit members of the cooperative to use up to 100 percent of the proceeds of the Applicant's financing to purchase property, including goods and services, from the cooperative.

Matters involved in SBA's consideration of the application include (1) the general business reputation and character of management and shareholders, (2) the reasonable prospects for successful operation of the new company under such management (including adequate profitability and financial soundness, in accordance with the Act and Regulations), and (3) whether the proposed licensing action would be in furtherance of the purposes of the Act.

Notice is further given that any person may, not later than September 17, 1976, submit written comments on the pro-

posed licensing of this company. Any such comments should be addressed to: Associate Administrator for Finance and Investment, Small Business Administration, 1441 "L" Street, NW., Washington, D.C. 20416.

A copy of this notice shall be published by the Applicant in a newspaper of general circulation in El Paso, Texas.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies.)

Dated: August 26, 1976.

GERALD L. FEIGEN,
Acting Deputy Associate
Administrator for Investment.

[FR Doc.76-25655 Filed 9-1-76; 8:45 am]

[Declaration of Disaster Loan Area 1269;
Amdt. No. 1]

COLORADO

Declaration of Disaster Area

The above numbered Declaration (See 41 FR 35590) is amended in accordance with the President's declaration of August 2, 1976, to include El Paso, Pueblo and Weld counties and adjacent counties, within the State of Colorado, and to extend the filing date for physical damage until the close of business on October 18, 1976, and for economic injury until the close of business on May 19, 1977.

Dated: August 26, 1976.

MITCHELL P. KOBELINSKI,
Administrator.

[FR Doc.76-25656 Filed 9-1-76; 8:45 am]

[Declaration of Disaster Loan Area 1271]

NEW JERSEY

Declaration of Disaster Area

As a result of the President's declaration I find that Atlantic, Cape May, Monmouth and Ocean Counties, and adjacent counties within the State of New Jersey constitute a disaster area because of damage resulting from severe storms, high winds and flooding associated with Hurricane Belle beginning about August 9, 1976. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on October 21, 1976, and for economic injury until the close of business on May 23, 1977, at:

Small Business Administration, District Office, 970 Broad Street—Room 1635, Newark, New Jersey 07102.

or other locally announced locations.

Dated: August 26, 1976.

MITCHELL P. KOBELINSKI,
Administrator.

[FR Doc.76-25653 Filed 9-1-76; 8:45 am]

[License Nos. 02/02-0241 and 04/05-0010]

PREFERRED CAPITAL FOR SMALL BUSINESS, INC. AND GOLD COAST CAPITAL CORP.

Proposed Merger

Notice is hereby given that an application has been filed with the Small

Business Administration (SBA) pursuant to § 107.903 of the SBA Regulations governing small business investment companies (13 CFR 107.903 (1976)) for the merger of Preferred Capital for Small Business, Inc. (Preferred) 16 Court Street, Brooklyn, New York 11241 into Gold Coast Capital Corporation (Gold Coast) 3350 Biscayne Boulevard, Miami, Florida 33137.

Preferred was incorporated under the laws of the State of New York and licensed by SBA on October 24, 1964. Its present combined paid-in capital and surplus is \$306,455 and it has total assets of \$900,887 as of March 31, 1976.

Gold Coast was incorporated under the laws of the State of Florida and licensed by SBA on December 22, 1959. Its present combined paid-in capital and surplus is \$532,595 and it has total assets of \$1,388,026 as of March 31, 1976.

The application provides for the assumption by Gold Coast of all assets and liabilities of Preferred in exchange for common stock of Gold Coast.

The officers, and directors and stockholders of the surviving corporation will be:

	(In percent)
William I. Gold, president.....	25
Samuel J. Burger, vice-president.....	25
Bruce Bayroff, secretary.....	25
Bernard Madovoy, chairman of the board	25

Matters involved in SBA's consideration of the application are the probability of a successful operation of the surviving company including adequate profitability and financial soundness in accordance with the Act and Regulations.

Notice is hereby given that any person may not later than September 17, 1976, submit to SBA in writing, comments on the proposed merger of the two companies. Any such communication should be addressed to the Deputy Associate Administrator for Investment, 1441 "L" Street, NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Brooklyn, New York and Miami, Florida.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Company.)

Dated: August 25, 1976.

GERALD L. FEIGEN,
Acting Deputy Associate
Administrator for Investment.

[FR Doc.76-25654 Filed 9-1-76; 8:45 am]

VETERANS ADMINISTRATION

CENTRAL OFFICE EDUCATION AND TRAINING REVIEW PANEL

Meeting

The Veterans Administration gives notice pursuant to Pub. L. 92-463 that a meeting of the Central Office Education and Training Review Panel, authorized by section 1790(b), Title 38, United States Code, will be held in Room A53, Veterans Administration Central Office, 810 Vermont Avenue, NW, Washington, DC on October 1, 1976, at 10 a.m. The

meeting will be held for the purpose of reviewing the decision of the Director, Veterans Administration Center, White River Junction, Vermont, that benefits to all eligible persons enrolled in Community College of Vermont, P.O. Box 81, Montpelier, Vermont 05602 be discontinued effective May 31, 1976.

The meeting will be open to the public up to the seating capacity of the conference room. Because of the limited seating capacity, it will be necessary for those wishing to attend to contact Mr. Halsey A. Dean, Chief Field Operations, Education and Rehabilitation Service, Veterans Administration Central Office (phone 202 389-2850) prior to September 20, 1976.

Dated: August 27, 1976.

R. L. ROUDEBUSH,
Administrator.

[FR Doc.76-25707 Filed 9-1-76; 8:45 am]

VETERANS ADMINISTRATION VOLUNTARY SERVICE NATIONAL ADVISORY COMMITTEE

Meeting

The Veterans Administration gives notice pursuant to Pub. L. 92-463 that the 30th Anniversary Meeting of the Veterans Administration Voluntary Service National Advisory Committee, established in 1946 and composed of representatives from 46 national voluntary organizations, will be held at the Shoreham-Americana Hotel, 2500 Calvert Street, NW, Washington, D.C., October 20-22, 1976. Registration of the conferees and preliminary meetings of the planning subcommittees will be held during the afternoon of October 20, 1976. The meeting will officially convene with the Plenary Session at 9:30 a.m., October 21, 1976, in the Blue Room of the Hotel. The purpose of the meeting is to constructively plan with the National Committee on the further promotion, development and coordination of volunteer assistance, channeled through national and local organizations, in the care and treatment of veteran patients in the Agency's nationwide medical program.

The business meeting of the National Committee is open to the general public and to volunteers who serve in the Veterans Administration Voluntary Service program in any of the Agency's health care facilities.

Dated: August 27, 1976.

R. L. ROUDEBUSH,
Administrator.

[FR Doc.76-25708 Filed 9-1-76; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Vol. No. 46]

PETITIONS FOR MODIFICATION, INTERPRETATION OR REINSTATEMENT OF OPERATING RIGHTS AUTHORITY

The following petitions seek modification or interpretation of existing operating rights authority, or reinstatement of terminated operating rights authority.

An original and one copy of protests to the granting of the requested author-

ity must be filed with the Commission in or before October 4, 1976. Such protest shall comply with Special Rule 247(d) of the Commission's General Rules of Practice (49 CFR 1100.247)¹ and shall include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this time. A copy of the protest shall be served concurrently upon petitioner's representative, or petitioner if no representative is named.

No. MC 12977 (Notice of filing of petition for modification of brokers license), filed August 10, 1976. Petitioner: HILLSEN'S HOLIDAY TOURS, 1521 West Highland Ave., Redlands, Calif. 92373. Petitioner's representative: Donald Murchison, 9454 Wilshire Blvd., Suite 400, Beverly Hills, Calif. 90212. Petitioner holds a license to engage in operations as a broker in interstate or foreign commerce, at Redlands, Calif., and points in Alameda and Contra Costa Counties, Calif., in No. MC 12977, issued March 20, 1974, in the transportation of passengers and their baggage, in roundtrip tours, (1) beginning and ending at points in San Bernardino, Kern, and Fresno Counties, Calif., and extending to points in the United States (except Alaska and Hawaii); (2) beginning and ending at points in Contra Costa, San Mateo, Santa Clara, and San Diego Counties, Calif., and extending to points in the United States (except Alaska and Hawaii); (3) beginning and ending at points in Los Angeles and Orange Counties, Calif., and extending to points in the United States (except Alaska and Hawaii); and (4) beginning and ending at points in San Bernardino and Riverside Counties, Calif., and extending to points in the United States, subject to the right of the Commission to impose, in accordance with Ex Parte No. MC-29 (Sub-No. 2), Operations of Brokers of Passenger Transportation, such terms and conditions, if any, as may be deemed necessary to insure that the transportation which petitioner arranges is limited to bona fide service as a broker of transportation by motor vehicle of passengers and their baggage, in round-trip tours. By the instant petition, petitioner seeks: (a) to add San Diego and Santa Barbara, Calif. as additional points at which it is authorized to engage in the above and additionally requested operations; (b) to originate trips beginning and ending at points in Santa Barbara and Ventura Counties, Calif. and extending to points in the United States including Alaska and Hawaii; and (c) to add to its present authority in (1) through (3) above the authority to serve points in Alaska and Hawaii.

No. MC 83975 (Sub-No. 2) (Notice of filing of petition to add additional destination points), filed August 10, 1976. Petitioner: PAGLIUGHI TRUCK-

ING INC., 1190 Hendee Rd., Vineland, N.J. 08360. Petitioner's representative: Robert B. Pepper, 168 Woodbridge Ave., Highland Park, N.J. 08904. Petitioner holds a motor contract carrier Permit in No. MC 83975 (Sub-No. 2), issued July 16, 1974, authorizing transportation, as pertinent, over irregular routes, of food products, requiring refrigeration in transit, between Vineland and points in Upper Deerfield Township, N.J., on the one hand, and, on the other, New Haven, Conn., Wilmington, Del., Washington, D.C., Baltimore, Md., Boston, Mass., Albany, Bronx, Brooklyn, Buffalo, Canajoharie, Elmira, Jamaica, Jamestown, Long Island City, Manhattan, Medina, New Hyde Park, Olean, Rochester, White Plains, and Syracuse, N.Y., Allentown, Altoona, Ardmore, Doylestown, Erie, Harrisburg, Johnstown, Lancaster, Lansdowne, Philadelphia, Pittsburgh, Pottsville, Reading, Scranton, and Waynesboro, Pa. By the instant petition, petitioner seeks to modify the above authority by adding Barker and Schenectady, N.Y. as additional radial points.

No. MC 120898 (Sub-No. 1) (Notice of filing of petition to modify territorial description), filed July 2, 1976. Petitioner: BORDEN TRUCKING, INC., Mira Loma Space Center Bldg., Mira Loma, Calif. 91752. Petitioner holds a motor common carrier certificate in No. MC-120898 (Sub-No. 1) issued November 18, 1971, authorizing transportation over irregular routes, of General commodities, between Los Angeles, Calif., on the one hand, and, on the other, Los Angeles Harbor, Calif., restricted to steamship traffic only, and further restricted against transportation of trailer coaches and campers, including integral parts and contents when the contents are within the trailer coach or camper. By the instant petition, petitioner seeks to modify the territorial description, by adding to the Los Angeles, Calif. point, the area embraced by the following boundary: Beginning at the point where the Ventura County-Los Angeles County Boundary Line intersects the Pacific Ocean; thence northeasterly along said county line to the point it intersects State Highway 118, approximately two miles west of Chatsworth; easterly along State Highway 118 to Sepulveda Boulevard; northerly along Sepulveda Boulevard to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along said corporate boundary of the City of San Fernando to Maclay Avenue; northeasterly along Maclay and its prolongation to the Los Angeles National Forest Boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest Boundary to Mill Creek Road (State Highway 38); westerly along Mill Creek Road to Bryant Street; southerly along Bryant Street to and including the unincorporated community of Yucaipa.

Westerly along Yucaipa Boulevard to Interstate Highway 10; northwesterly

along Interstate Highway 10 to Redlands Boulevard; northwesterly along Redlands Boulevard to Barton Road; westerly along Barton Road to La Cadena Drive; southerly along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to State Highway 60; southeasterly along State Highway 60 and U.S. Highway 395 to Nuevo Road; easterly along Nuevo Road via Nuevo and Lakeview to State Highway 79; southerly along State Highway 79 to State Highway 74; thence westerly to the corporate boundary of the City of Hamet; southerly, westerly and northerly along said corporate boundary to The Atchison, Topeka & Santa Fe right-of-way; southerly along said right-of-way to Washington Road; southerly along Washington Road through and including the unincorporated community of Winchester to Benton Road; westerly along Benton Road to Winchester Road (State Highway 79) to Jefferson Avenue, southerly along Jefferson Avenue to U.S. Highway 395; southerly along U.S. Highway 395 to the Riverside County-San Diego County Boundary Line; westerly along said boundary line to the Orange County-San Diego County Boundary Line; southerly along said boundary line to the Pacific Ocean; northwesterly along the shoreline of the Pacific Ocean to point of beginning, including the point of March Air Force Base. In all other respects, the existing authority will remain as originally granted.

No. MC 136786 (Sub-No. 53) (Notice of filing of petition to broaden commodity description and change supporting shippers) filed August 9, 1976. Petitioner: ROBCO TRANSPORTATION, INC., 309 5th Ave. N.W., P.O. Box 12729, New Brighton, Minn. 55112. Petitioner's representative: Stanley C. Olsen, Jr. (same address as applicant). Petitioner holds a motor common carrier Certificate in No. MC 136786 (Sub-No. 53), issued January 27, 1976, authorizing transportation over irregular routes, of frozen pizza, from Minneapolis, Minn., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee and Texas, restricted to the transportation of shipments originating at the facilities of Totino's Finer Foods, Inc. located at Minneapolis, Minn., and destined to points in the named destination states. By the instant petition, petitioner seeks (1) to broaden its commodity description to read "Frozen foods" in lieu of "Frozen pizza"; and (2) to modify the restriction so as to properly reflect the name of the current shipper "The Pillsbury Company" in lieu of Totino's Finer Foods, Inc.

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER OPERATING RIGHTS APPLICATIONS

The following applications are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR § 1100.247). These rules provide, among other things, that a protest to the

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

granting of an application must be filed with the Commission within 30 days after the date of notice of filing of the application is published in the *FEDERAL REGISTER*. Failure to reasonably file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) further provides, in part, that an applicant who does not intend timely to prosecute its application shall promptly request dismissal thereof, and that failure to prosecute an application under procedures ordered by the Commission will result in dismissal of the application.

Further processing steps will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the *FEDERAL REGISTER* of a notice that the proceeding has been assigned for oral hearing.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

No. MC 151 (Sub-No. 59) filed July 26, 1976. Applicant: LOVELACE TRUCK SERVICE, INC., 2225 Wabash Ave., Terre Haute, Ind. 47807. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment): Serving the plant-site of Hoosier Energy Division of Indiana Statewide Rural Electric Cooperative, Inc., located at or near Merom, Ind., as an off-route point in connection with

carrier's existing authorized routes of operation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Indianapolis, Ind. or Chicago, Ill.

No. MC 5470 (Sub-No. 109) filed July 29, 1976. Applicant: TAJON, INC., R.D. 5, Mercer, Pa. 16137. Applicant's representative: Don Cross, 700 World Center Bldg., 918 16th St., N.W., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Activated carbon*, in bulk, in dump vehicles, from Catlettsburg, Ky.; Neville Island, Pa.; and Bayport, Tex., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 5470 (Sub-No. 110) filed July 29, 1976. Applicant: TAJON, INC., R.D. 5, Mercer, Pa. 16137. Applicant's representative: Don Cross, 700 World Center Bldg., 918 16th St., N.W., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pig iron*, in dump vehicles, from Ash-tabula, Ohio, to points in Illinois, Indiana, Kentucky, and Michigan.

NOTE.—If a hearing is deemed necessary applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 29079 (Sub-No. 89) filed July 23, 1976. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 South Union, P.O. Box 935, Kokomo, Ind. 46901. Applicant's representative: Richard H. Streeter, 704 Southern Building, 15th & H Streets, N.W., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizers*, (except liquid fertilizers in tank vehicles), *herbicides and pesticides*, from the plantsite of Knox Fertilizer Co., located at or near Knox, Ind., to points in Illinois, Kentucky, Michigan (Lower Peninsula), Missouri, New York, Ohio, Pennsylvania, West Virginia and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Indianapolis, Ind.

No. MC 30844 (Sub-No. 571) filed July 28, 1976. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial St., Waterloo, Iowa 50702. Applicant's representative: John P. Rhodes (Same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Holton, Kans., to points in Colorado, Connecticut, Delaware, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Missouri, Nebraska,

New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin and the District of Columbia, restricted to the plantsite and facilities of Tama Meat Packing Corp. located at Holton, Kans.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant did not specify a location.

No. MC 42487 (Sub-No. 852) filed July 23, 1976. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: E. T. Lipfert, Suite 1100, 1660 L Street, N.W., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) Between Columbus, Ohio and Marion, Ohio, as an alternate route in connection with carrier's presently authorized regular-route operations, serving no intermediate points: From Columbus over U.S. Highway 23 to junction Ohio Highway 423, located at or near Waldo, Ohio, and thence over Ohio Highway 423 to Marion, and return over the same route; (2) Between Marion, Ohio and Findlay, Ohio, as an alternate route in connection with carrier's presently authorized regular-route operations, serving no intermediate points: From Marion over Ohio Highway 423 to junction U.S. Highway 23, thence over U.S. Highway 23 to junction Ohio Highway 15, thence over Ohio Highway 15 to junction U.S. Highway 68, and thence over U.S. Highway 68 to Findlay, and return over the same route; and (3) Between Columbus, Ohio and Findlay, Ohio, as an alternate route in connection with carrier's presently authorized regular-route operations, serving no intermediate points: From Columbus over U.S. Highway 23 to junction Ohio Highway 15, thence over Ohio Highway 15 to junction U.S. Highway 68, and thence over U.S. Highway 68 to Findlay, and return over the same route.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 50069 (Sub-No. 517) filed July 26, 1976. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Inedible animal oil*, in bulk, in tank vehicles, from Dubuque, Iowa, to Columbus, Ohio.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 52729 (Sub-No. 22) filed July 26, 1976. Applicant: FIOROT

TRUCKING, INC., W. Maine Street, P.O. Box 43, Pen Argyl, Pa. 18072. Applicant's representative: Morris Mindlin, 1509 Easton Avenue, Bethlehem, Pa. 18017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Asbestos cement roofing shingles, asbestos cement siding, asbestos cement sheets, asbestos cement pressure pipes, asphalt shingles, and vinyl shingles, vinyl siding, and vinyl panels, and materials and supplies* used in the installation of such asbestos asphalt, and vinyl commodities, when moving therewith, from the plant-site and warehouse facilities of the Supradur Manufacturing Corporation located at Wind Gap, Pa., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Wisconsin; (2) *materials and supplies* used in the production and manufacture of asbestos cement roofing shingles, asbestos cement siding, asbestos cement sheets, asbestos cement pressure pipes, asphalt shingles, asbestos and asphalt materials, and vinyl shingles, vinyl siding, and vinyl panels, (except commodities in bulk), from points in Alabama, Arkansas, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Wisconsin; to Wind Gap, Pa. (3) *materials and supplies* used in the installation of asbestos cement roofing shingles, asbestos cement siding, asbestos cement sheets, asbestos cement pressure pipes, and asphalt shingles, and vinyl shingles, vinyl siding, and vinyl panels (except commodities in bulk), from points in Alabama, Arkansas, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Wisconsin; to Wind Gap, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Easton, Allentown or Philadelphia, Pa.

No. MC 55886 (Sub-No. 19), filed July 19, 1976. Applicant: **BLUE LINE TRANSFER CO., INC.**, P.O. Box 4, 3rd & Broomall Streets, Chester, Pa. 19013. Applicant's representative: Maxwell A. Howell, 1100 Investment Building, 1511 K St., NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, and materials and supplies*, used in the manufacture thereof, between points in Kent County, Del., on the one hand, and, on the other, points in Maryland; points in Fairfax, Fauquier, Loudoun and Prince William Counties, Va.; and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 59117 (Sub-No. 51), filed July 30, 1976. Applicant: **ELLIOTT TRUCK LINE, INC.**, 101 East Excelsior, P.O. Box 1, Vinita, Okla. 74301. Appli-

cants' representative: Dean Williamson, 280 National Foundation Life Bldg., 3535 N.W. 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Minerals and mineral mixtures, feed and fertilizer materials and compounds and ingredients thereof*, in bulk, from Galena, Kans., to points in Arkansas, Colorado, Illinois, Iowa, Louisiana, Minnesota, Missouri, Nebraska, New Mexico, Oklahoma, South Dakota, Tennessee, Texas and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 59150 (Sub-No. 96), filed July 29, 1976. Applicant: **PLOOF TRUCK LINES, INC.**, 1414 Lindrose Street, Jacksonville, Fla. 32206. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper, scrap or waste, from points in Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee and Virginia*, to Anniston, Ala.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 65697 (Sub-No. 51), filed July 6, 1976. Applicant: **THEATRES SERVICE COMPANY, a Corporation**, P.O. Box 1695, Atlanta, Ga. 30301. Applicant's representative: Archie B. Culbreth, 1252 West Peachtree St. N.W., Suite 246, Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed matter, bags, boxes, loose leaf binders or covers, cartons, cups and wrapping and packaging materials, with printing thereon*, between points in Alabama, Georgia (except Savannah, Waycross and Valdosta and points within their respective commercial zones), South Carolina, and that part of Tennessee east of U.S. Highway 31 and U.S. Highway 31E; and (2) *television sets, wood and metal stands, speakers and parts and accessories thereof*, between Atlanta, Ga., on the one hand, and, on the other points in Alabama, Georgia and Tennessee, as defined in applicant's presently authorized regular route operations in Sub-Nos. 1 through 10, including off-route points.

NOTE.—Applicant holds similar authority in its Sub-No. 50 to that sought in (1) above, and in its Sub-Nos. 1 through 10 to that sought in (2) above. Applicant has concurrently filed a "Motion to Dismiss" on the grounds that it already holds the requested authority. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 71642 (Sub-No. 20) filed July 13, 1976. Applicant: **CONTRACTUAL CARRIERS, INC.**, Harmony Industrial Park, Newark, Del. 19711. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005. Authority sought to operate

as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products*, (a) between Newark and Wilmington, Del., on the one hand, and, on the other, New York, Endicott and Johnson City, N.Y., points in New Jersey, and points in that part of Pennsylvania east of a line beginning at the Maryland-Pennsylvania State Line and extending along U.S. Highway 11 (formerly shown as U.S. Highway 111), to Harrisburg, Pa., thence along U.S. Highway 11 to the Pennsylvania-New York State Line, including points on the indicated portions of the specified highways; and (b) between Newark and Wilmington, Del., on the one hand, and, on the other, Fairfield County, Conn., the Commercial Zone of Elkhart, and Lafayette, Ind., Hunt Valley, Md., and that part of Massachusetts with points on and east of U.S. Highway 128, and then south on U.S. Highway 3 to the Norfolk County Line, and then to the Coast, the Commercial Zones of Rocky Mount and Winston-Salem, N.C., the Commercial Zone of Shiremanstown, Pa., Shelby County, Tenn., and the Commercial Zone of Richmond, Va., including the base municipality of each Commercial Zone named; and (2) *materials and supplies* used in the manufacture of paper and paper products, from Covington and Richmond, Va., to Newark, Del., under a continuing contract, or contracts, in (1) and (2) above with Westvaco Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 73165 (Sub-No. 389) filed July 23, 1976. Applicant: **EAGLE MOTOR LINES, INC.**, 830 N. 33rd St., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: William P. Parker (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel shot*, from the plantsite and facilities of Wheelabrator-Frye, Inc. located at or near Mishawaka, Ind. and Bedford, Va., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Birmingham, Ala. or Chicago, Ill.

No. MC 73165 (Sub-No. 390) filed July 27, 1976. Applicant: **EAGLE MOTOR LINES, INC.**, 830 N. 33rd St., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: William P. Parker (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Valves, hydrants, parts, attachments and accessories*; and (b) *materials, equipment, and supplies* used in the manufacture thereof (except commodities in bulk), between Jefferson County, Tex., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Birmingham, Ala. or Houston, Tex.

No. MC 74321 (Sub-No. 122) filed July 26, 1976. Applicant: B. F. WALKER, INC., 1555 Tremont Place, P.O. Box 17-B, Denver, Colo. 80217. Applicant's representative: Richard P. Kissinger, Cherry Creek Center Suite 140, 360 South Monroe, Denver, Colo. 80209. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cooling towers and fluid coolers, and parts and accessories therefor*; and (2) *materials, equipment and supplies* used in the manufacture, sale and distribution of cooling towers and fluid coolers (except in bulk), between Houston, Tex.; Stockbridge, Ga. and Tulsa, Okla., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Denver, Colo. or Tulsa, Okla.

No. MC 78787 (Sub-No. 51) filed July 13, 1976. Applicant: PACIFIC MOTOR TRUCKING COMPANY, a corporation, 9 Main Street, San Francisco, Calif. 94105. Applicant's representative: John MacDonald Smith, One Market St., Rm. 813, San Francisco, Calif. 94105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *New automobiles*, in initial movements, in truckaway and driveway service, from General Motors assembly plants, at Fremont, Los Angeles, and South Gate, Calif., to points in Arizona; points in Nevada (except Austin, Battle Mountain, Carlin, Carson City, Elko, Fallon, Hawthorne, Lovelock, Mina, Minden, Montello, Reno, Tonopah, Wells, Winnemucca, and Yerington); and points in Coos, Curry, Douglas, Jackson, Josephine, Lane and Klamath Counties, Oreg.; and (2) *new automobiles*, in secondary movements, in truckaway service, from railroad ramps at Phoenix, Ariz., to points in California, under contract with General Motors Corporation.

NOTE.—Applicant holds common carrier authority in MC 78786 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 82841 (Sub-No. 174) (Correction) filed May 28, 1976, published in the FEDERAL REGISTER issue of July 8, 1976, and republished as corrected this issue. Applicant: HUNT TRANSPORTATION, INC., 10770 "I" Street, Omaha, Neb. 68127. Applicant's representative: Donald L. Stern, 530 Univae Building, 7100 West Center Road, Omaha, Neb. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities as are dealt in, or used by, agricultural equipment, industrial equipment, and lawn and leisure products dealers* (except commodities in bulk), from the facilities of Deere and Company located in Douglas County, Nebraska to those points in Iowa lo-

cated on and west of U.S. Highway No. 69, Nebraska and those points in South Dakota located on or south of State Highway No. 34, restricted to the transportation of traffic originating at the named facilities of Deere & Company and destined to the destination point named; and (2) *return shipments* of the commodities described above, from the destination points named above to the facilities of Deere & Company located at the origin points named above, restricted to the transportation of traffic destined to the named facilities of Deere & Company.

NOTE.—The purpose of this republication is to indicate the destination territory, which was published in error. If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC 83835 (Sub-No. 134) filed July 27, 1976. Applicant: WALES TRANSPORTATION, INC., P.O. Box 6186, Dallas, Tex. 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Rail track, attachments and accessories* for rail track; and (2) *equipment* used in connection with the removal and installation of rail track, between points in the United States (except Alaska and Hawaii), restricted to shipments originating at or destined to the plantsites, facilities, or jobsites of L. B. Foster Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas or Houston, Tex.

No. MC 96881 (Sub-No. 17) filed July 29, 1976. Applicant: FINE TRUCK LINE, INC., 801 West Dodson Avenue, Fort Smith, Ark. 72901. Applicant's representative: Don A. Smith, P.O. Box 43, Fort Smith, Ark. 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fencing, fencing materials, wire and wire products*, from Van Buren, Ark., to Reno, Nev., and points in Alabama, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Tennessee and Texas; and (2) *steel wire carriers*, from Reno, Nev., to Van Buren, Ark.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Kansas City, Mo. or Washington, D.C.

No. MC 103926 (Sub-No. 49), filed July 14, 1976. Applicant: W. T. MAYFIELD SONS TRUCKING CO., P.O. Box 947, Mabelton, Ga. 30059. Applicant's representative: K. Edward Wolcott, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, which by reason of size or weight, require the use of special equipment or handling; (2) *commodities*, which by reason of size or weight do not require the use of special equipment, when transported as part of the same

shipment with commodities which by reason of size or weight require the use of special equipment or handling; and (3) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts and attachments* moving in connection therewith, from Savannah, Ga., and points within 50 miles thereof, to St. Louis, Mo., Hatfield, Pa., and points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Ohio, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia.

NOTE.—Applicant states that it intends to tack the requested authority above with its existing irregular route authority at Savannah, Ga., and points in Georgia within 50 miles thereof, to transport contractors' machinery and equipment, from points in Alabama, Florida, North Carolina, South Carolina and Tennessee, to St. Louis, Mo., Hatfield, Pa., and points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Ohio, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia. If a hearing is deemed necessary, the applicant requests it be held at either Savannah or Augusta, Ga. or Charleston, S.C.

No. MC 105566 (Sub-No. 125) filed July 26, 1976. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1119, Cape Girardeau, Mo. 63701. Applicant's representative: Thomas F. Kilroy, P.O. Box 2069, Springfield, Va. 22152. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drinking fountains, water coolers, humidifiers, and/or dehumidifiers, and accessories and parts thereof*, from Columbus, Ohio to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 105566 (Sub-No. 126) filed July 26, 1976. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1119, Cape Girardeau, Mo. 63701. Applicant's representative: Thomas F. Kilroy, P.O. Box 2069, Springfield, Va. 22152. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drugs, medicines and toilet preparations*, from Bristol, Tenn., to Elmhurst, Ill., Dallas, Tex., and Sacramento and San Francisco, Calif.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 106603 (Sub-No. 149) filed July 27, 1976. Applicant: DIRECT TRANSIT LINES, INC., 200 Colrain St., SW., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Composition board, fibreboard, plywood, particle board, hardboard, insulation board, and accessories*

and materials used in the installation and sale thereof, from Adrian, Constantine and Palmyra, Mich., to points in and east of Kansas, Nebraska, North Dakota, Oklahoma, South Dakota and Texas; and (2) *materials and supplies* used in the manufacture and sale of the commodities set forth in (1) above, from points in and east of Kansas, Nebraska, North Dakota, Oklahoma, South Dakota and Texas, to Adrian, Constantine and Palmyra, Mich.

NOTE.—Applicant holds contract carrier authority in No. MC 46240, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 107541 (Sub-No. 42) filed July 27, 1976. Applicant: WASHINGTON-OREGON LUMBER FREIGHTERS, INC., 2000 East Columbia Way, Bldg. 54, P.O. Box 1371, Vancouver, Wash. 98661. Applicant's representative: Dwight Willard, 125 University Avenue, Berkeley, Calif. 94710. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from the facilities of Albers Milling Company, located at or near Fort Lupton, Colo., to points in Arizona, California, Idaho, Nevada, Oregon, Utah and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif.

No. MC 108393 (Sub-No. 105), filed July 29, 1976. Applicant: SIGNAL DELIVERY SERVICE, INC., 201 East Ogden Avenue, Hinsdale, Ill. 60521. Applicant's representative: J. A. Kundtz, National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Parts of electrical and gas appliances and equipment, materials and supplies*, used in the manufacture, distribution and repair of electrical and gas appliances, between Richmond, Ind., and Lowell, Mich., on the one hand, and, on the other, Clyde, Ohio, under a continuing contract or contracts with Whirlpool Corporation.

NOTE.—Common control and dual operations may be involved. If hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 109365 (Sub-No. 40), filed July 28, 1976. Applicant: RONALD A. PATTERSON, doing business as ANTHONY & PATTERSON TRUCK LINE, P.O. Box 15, Ashdown, Ark. 71822. Applicant's representative: Clayte Binion, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products* (except in bulk, in tank vehicles), from points in Washington and West Feliciana Parishes, La., to points in the United States, including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New Orleans or Baton Rouge, La.

No. MC 109533 (Sub-No. 78), filed July 28, 1976. Applicant: OVERNITE TRANSPORTATION COMPANY, 1100 Commerce Road, Richmond, Va. 23224. Applicant's representative: Eugene T. Lipfert, Suite 1100, 1660 L Street, N.W., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) Between Covington, Va., and Louisville, Ky., serving all intermediate points and serving Georgetown, Ky., as an off-route point: From Covington over U.S. Highway 60 to Louisville, Ky., and return over same route; (2) Between Lexington, Ky., and Harrodsburg, Ky., serving no intermediate points and serving Lexington, Ky., for purposes of joinder only: From Lexington over U.S. Highway 60 to junction Blue Grass Parkway; thence over Blue Grass Parkway to junction U.S. Highway 127; thence over U.S. Highway 127 to Harrodsburg and return over same route; and (3) Between Lexington, Ky., and Mt. Vernon, Ky., serving no intermediate points and serving Mt. Vernon, Ky., as point of joinder only: From Lexington over U.S. Highway 25 to Mt. Vernon and return over same route.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Lexington, Ky. or Charleston, W. Va.

No. MC 109689 (Sub-No. 300), filed July 29, 1976. Applicant: W. S. HATCH CO., 643 South 800 West, Woods Cross, Utah 84087. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Soda ash*, from points in Sweetwater County, Wyo., to points in Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Salt Lake City, Utah.

No. MC 110420 (Sub-No. 759), filed July 26, 1976. Applicant: QUALITY CARRIERS, INC., I-94 & County Truck C, Bristol, Wis. 53158. Applicant's representative: Joseph K. Reber, P.O. Box 186, Pleasant Prairie, Wis. 53158. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chocolate, chocolate and cocoa products, and confectionary coatings*, in bulk, in tank vehicles, from Dunkirk, N.Y., to points in Arkansas, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Michigan, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 112304 (Sub-No. 108), filed July 26, 1976. Applicant: ACE DORAN

HAULING & RIGGING CO., 1601 Blue Rock Street, Cincinnati, Ohio 45223. Applicant's representative: John D. Herbert (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum, aluminum products, and supplies, materials and equipment*, used in the manufacture of aluminum and aluminum products (except in bulk), between the plantsites of Alumax, Inc., located at Decatur, Ala.; Casa Grande, Ariz.; Long Beach, Riverside, Visalia, Perris Valley and Woodland, Calif.; Loveland, Colo.; Ocala and Plant City, Fla.; Peachtree City and Jonesboro, Ga.; Twin Falls, Idaho; Chicago and Morris, Ill.; Lebanon, Bristol and Franklin, Ind.; McPherson, Kans.; Frederick, Md.; Montevideo, Minn.; St. Louis, Mo.; Hernando, Miss.; Reidsville, N.C.; Cleveland, Ohio; Tulsa and Checotah, Okla.; Stayton, Oreg.; Bloomsburg, Pa.; Mansfield, Tex.; Harrisonburg, Va.; Spokane and Ferndale, Wash.; and Marshfield, Wis., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 112750 (Sub-No. 330), filed July 27, 1976. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents and written instruments* (except currency and negotiable securities), between Hagerstown, Md. and Pittsburgh, Pa., under a continuing contract, or contracts, with Hagerstown Trust Company.

NOTE.—Applicant holds common carrier authority in MC 111729 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 112822 (Sub-No. 407), filed July 26, 1976. Applicant: BRAY LINES INCORPORATED, 1401 N. Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Charles D. Midkiff (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rubber products, and materials, supplies and equipment* used in the manufacture, distribution and sales thereof, from Texarkana, Ark., to points in Arizona, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or St. Louis, Mo.

No. MC 112822 (Sub-No. 408), filed July 30, 1976. Applicant: BRAY LINES

INCORPORATED, 1401 N. Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Charles D. Midkiff (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from the plant site of American Home Foods at or near Vacaville, Calif., to points in Oregon and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either San Francisco or Los Angeles, Calif.

No. MC 113158 (Sub-No. 28), filed July 26, 1976. Applicant: TODD TRANSPORT COMPANY, INC., Secretary, Md. 21664. Applicant's representative: James W. Patterson, 2100 The Fidelity Building, Philadelphia, Pa. 19109. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in New York on and west of a line beginning at the St. Lawrence River at Clayton, N.Y., and extending south along New York Highway 12 through Watertown, Port Leyden, Utica and Norwich, N.Y., to Binghamton, N.Y., thence south along Interstate Highway 81 to the New York-Pennsylvania State Boundary line, to the warehouses and facilities utilized by Acme Markets, Inc., located at Baltimore, Md., points in Caroline and Dorchester Counties, Md., Forty Ft. and Lancaster, Pa., and South Kearny, N.J.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Philadelphia, Pa. or Washington, D.C.

No MC 113280 (Sub-No. 7), filed July 27, 1976. Applicant: BUCHMEIER & SONS, INC., 2988 Skyline Drive, Route 1, Hubertus, Wis. 53033. Applicant's representative: Edward Solle, Executive Bldg., Suite 100, 4513 Vernon Blvd., Madison, Wis. 53705. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages and malt beverage dispensing equipment*, in mixed loads with malt beverages, from Milwaukee, Wis., to points in Illinois and Indiana, limited to transportation service to be performed, under a continuing contract, or contracts, with Pabst Brewing Company, at Milwaukee, Wis.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 113362 (Sub-No. 300), filed July 28, 1976. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Iowa 50533. Applicant's representative: Milton D. Adams, 1105½ Eighth Avenue, S.E., Austin, Minn. 55912. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat by-products, articles distributed by meat packing plants and foodstuffs* (except hides and commodities in bulk), from the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co., located at or near Knoxville, Iowa, to points in Illinois, Indiana, Michigan, Minnesota, Nebraska, New York, Ohio and Penn-

sylvania, restricted to traffic originating at named origin and destined to named states; and (2) *meat, meat products, meat by-products, articles distributed by meat packing plants, foodstuffs and packing plant materials, equipment and supplies* (except hides and commodities in bulk), from points in Illinois, Indiana, Kansas, Michigan, Minnesota, Nebraska, New York, Ohio and Pennsylvania, to the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co., located at or near Knoxville, Iowa, restricted to traffic originating at the named origins and destined to the named destination.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn.

No. MC 114045 (Sub-No. 445), filed July 23, 1976. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 61228, D/FW Airport, Tex. 75261. Applicant's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Perishable hides, and sausage casings*, from the plantsite of Devro, Inc., located at Somerville, N.J., to the plantsite of Devro, Inc., located at Lubbock, Tex.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either New York or Washington, D.C.

No. MC 114457 (Sub-No. 267), filed July 30, 1976. Applicant: DART TRANSPORT COMPANY, a Corporation, 2102 University Avenue, St. Paul, Minn. 55114. Applicant's representative: James H. Wills (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Urethane products*, from the facilities of Future Foam, Inc., at Council Bluffs, Iowa, to points in the Upper Peninsula of Michigan.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn., or Chicago, Ill.

No. MC 114896 (Sub-No. 40), filed July 27, 1976. Applicant: PUROLATOR SECURITY, INC., 1111 W. Mockingbird Lane, Suite 1401, Dallas, Tex. 75247. Applicant's representative: John M. Delany, 3333 New Hyde Park Rd., New Hyde Park, N.Y. 11040. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Currency*, between Washington, Richmond, Va., Charlotte, N.C. and Baltimore, Md., under a continuing contract, or contracts, with the Department of the Treasury.

NOTE.—Applicant holds common carrier authority in No. MC 140345 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 115092 (Sub-No. 46), filed July 29, 1976. Applicant: TOMAHAWK TRUCKING, INC., P.O. Box O, Vernal, Utah 84078. Applicant's representative: Walter Kobos, 1016 Kehoe Drive, St.

Charles, Ill. 60174. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal feed, not frozen, and canned goods*, from Los Angeles and San Diego, Calif., to points in Colorado, Texas and Utah.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC 115331 (Sub-No. 413), filed July 23, 1976. Applicant: TRUCK TRANSPORT INCORPORATED, 29 Clayton Hills Lane, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Such commodities as are manufactured, processed, sold, used, distributed, or dealt in by manufacturers, converters, and printers of paper and paper products* (except commodities in bulk), between points in Wisconsin and the Upper Peninsula of Michigan, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 115669 (Sub-No. 157), filed July 12, 1976. Applicant: DAHLSTEN TRUCK LINE, INC., P.O. Box 95, Clay Center, Nebr. 68933. Applicant's representative: Howard N. Dahlsten, (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Limestone and Dicalcium phosphate*, from Weeping Water, Nebr., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Texas, Wisconsin and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC 115669 (Sub-No. 158) filed July 26, 1976. Applicant: DAHLSTEN TRUCK LINE, INC., P.O. Box 95, Clay Center, Nebr. 68933. Applicant's representative: Howard N. Dahlsten (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, from the plant site of Cominco American, Incorporated, located 5 miles northwest of Beatrice, Nebr., to points in Oklahoma and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Lincoln or Omaha, Nebr.

No. MC 116273 (Sub-No. 206) filed July 23, 1976. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in bulk, in tank or hopper-type

vehicles, from Detroit, Mich., to points in Indiana, Michigan, Ohio and Pennsylvania.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 116459 (Sub-No. 60) filed July 23, 1976. Applicant: RUSS TRANSPORT, INC., P.O. Box 4022, Chattanooga, Tenn. 37405. Applicant's representative: Sam Speer (Same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry Terephthalic acid*, in bulk, in tank vehicles, from the plantsite of E. I. Dupont de Nemours Company Cape Fears Plant located near Phoenix, N.C., to the plantsite of E. I. Dupont de Nemours Company, Inc. located at Old Hickory, Tenn.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Wilmington, N.C. or Nashville, Tenn.

No. MC 117589 (Sub-No. 37) filed July 22, 1976. Applicant: PROVISIONERS FROZEN EXPRESS, INC., 3801—Seventh Avenue South, P.O. Box 2450, Seattle, Wash. 98108. Applicant's representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, from Elensburg and Seattle, Wash., to Boston, North Billerica and Somerville, Mass.; Andover, Bayonne, Camden and Paramus, N.J.; Philadelphia, Pa.; Landover, Md.; and points in New York.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Seattle, Wash. or Portland, Oreg.

No. MC 117765 (Sub-No. 210) filed July 27, 1976. Applicant: HAHN TRUCK LINE, INC., 5315 N.W. 5th St., Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagan (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Glass containers*, from the plantsite and facilities of Midland Glass Company, located at or near Henryetta, Okla., to points in Arkansas, Colorado, Illinois, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Okla.

No. MC 117940 (Sub-No. 181) filed July 26, 1976. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Allan L. Timmerman (Same address as applicant). Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: *Cast iron boilers and heating supplies and equipment*, from Northvale, N.J., to points in Iowa (except Cedar Rapids, Des Moines and Guttenberg); Minnesota (except Albert Lea, Duluth, Mankato, Minneapolis, St. Paul and

Worthington); North Dakota (except Bismarck and Fargo); and points in South Dakota, Wyoming and Montana.

NOTE.—Applicant holds contract carrier authority in No. MC 114789 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 117940 (Sub-No. 182), filed July 26, 1976. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Allan L. Timmerman (Same address as applicant). Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by discount and variety stores (except foodstuffs and commodities in bulk)*, from Savannah, Ga., to points in Illinois, Indiana, Michigan and Ohio, restricted to traffic originating at the named origin point and destined to the facilities of S. S. Kresge Company located in the named destination states.

NOTE.—Applicant holds contract carrier authority in No. MC 114789 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich.

No. MC 118806 (Sub-No. 49), filed July 22, 1976. Applicant: ARNOLD BROS. TRANSPORT, LTD., 729 Lagimodiere Boulevard, Winnipeg, Manitoba, Canada R2J0T8. Applicant's representative: Daniel C. Sullivan, 327 South LaSalle Street, Chicago, Ill. 60604. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) (A) *Commodities*, which because of size or weight, require the use of special equipment, and related machinery, parts and supplies, when their transportation is incidental to the transportation of commodities, which because of size or weight, require the use of special equipment, and (B) *commodities*, which do not require the use of special equipment when moving on the same equipment or under the same bill of lading as commodities, which because of size or weight, require the use of special equipment; and (2) *Self-propelled articles and related machinery, tools, parts and supplies* moving in conjunction therewith, between the ports of entry on the International Boundary Line between the United States and Canada, located at points in Idaho, Minnesota, Montana, North Dakota, and Washington, on the one hand, and, on the other, points in the United States including Alaska, but excluding Hawaii, restricted in (1) and (2) above against the transportation of tractors, road-making machinery, contractor's equipment and supplies, and farm machinery.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 118831 (Sub-No. 133) filed June 24, 1976. Applicant: CENTRAL

TRANSPORT, INCORPORATED, P.O. Box 2608, High Point, N.C. 27261. Applicant's representative: Richard E. Shaw (Same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Terephthalic acid*, dry, in bulk, (1) from Decatur, Ala., to Fiberon, N.C. and Darlington, S.C.; and (2) from Phoenix, N.C. to Old Hickory, Tenn.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Raleigh, N.C.

No. MC 118989 (Sub-No. 141) filed July 23, 1976. Applicant: CONTAINER TRANSIT, INC., 5223 South 9th Street, Milwaukee, Wis. 53221. Applicant's representative: Albert A. Andrin, 180 North La Salle Street, Chicago, Ill. 60601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Such commodities as are manufactured, processed, sold, used, distributed or dealt in by manufacturers, converters and printers of paper and paper products (except commodities in bulk)*, between points in Wisconsin and the Upper Peninsula of Michigan, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Milwaukee, Wis.

No. MC 119531 (Sub-No. 161), filed July 23, 1976. Applicant: SUN EXPRESS, INC., P.O. Box 808 Warren, Ohio 44482. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastics (urethane, polyurethane)*, cellular, expanded or foamed in blocks or sheets, from Ft. Wayne, Ind., to points in Michigan.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 119631 (Sub-No. 23), filed July 29, 1976. Applicant: DEIOMA TRUCKING CO., P.O. Box 915, Mount Union Station, Alliance, Ohio 44601. Applicant's representative: Edward G. Villalon, 1032 Pennsylvania Building, Pennsylvania Avenue & 13th St., NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Refractories and refractory products*, from White Cloud, Mich., to ports of entry on the International Boundary Line between the United States and Canada located at Detroit, Port Huron and Sault Ste. Marie, Mich., restricted to foreign commerce only.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Cleveland, Ohio or Washington, D.C.

No. MC 119908 (Sub-No. 36), filed July 26, 1976. Applicant: WESTERN LINES, INC., P.O. Box 1145, Houston, Tex. 77001. Applicant's representative: Austin L.

Hatchell, 1102 Perry Brooks Bldg., Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, treated or untreated, between points in North Carolina, South Carolina, and Virginia, on the one hand, and, on the other, points in Florida, and Georgia.

NOTE.—Applicant proposes to tack the authority sought with its existing authority (1) in Sub. No. 24 at points in Georgia to serve points in North Carolina, South Carolina, and Virginia, on the one hand, and, on the other, points in Alabama, Louisiana, Mississippi, and Tennessee; and (2) in Sub Nos. 1 and 24 at points in Georgia and Louisiana so that it can serve between points in North Carolina, South Carolina, and Virginia, on the one hand, and, on the other, points in New Mexico, Oklahoma, and Texas. Applicant holds contract carrier authority in MC 110814 and Sub thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at either Birmingham, Ala., or New Orleans, La.

No. MC 120257 (Sub-No. 30), filed July 30, 1976. Applicant: K. L. BREEN-DEN & SONS, INC., 401 Alamo Street, Terrell, Tex. 75160. Applicant's representative: Bernard H. English, 6270 Fifth Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum board paper*, from Anniston, Ala., to Rotan, Tex. and Medicine Lodge, Kans.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Tex. or Buffalo, N.Y.

No. MC 120419 (Sub-No. 3), filed July 23, 1976. Applicant: SERVICE TRANSFER, INC., 1501 West Main, Henryetta, Okla. 74437. Applicant's representative: Duane A. Woodliff, 405 West Trudgeon, P.O. Box 1090, Henryetta, Okla. 74437. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from the plant-site and storage facilities of Midland Glass Company, Inc., located at or near Henryetta, Okla., to points in Arkansas, Colorado, Illinois, Iowa, Louisiana, Kansas, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held on a consolidated record with similar applications of Great Western Trucking Co., Inc., Contract Freighters, Hahn Truck Lines, and Tollie Freightways, Inc., at Oklahoma City, Okla.

No. MC 120761 (Sub-No. 11), filed July 26, 1976. Applicant: NEWMAN BROS. TRUCKING COMPANY, 6559 Midway Rd., Fort Worth, Tex. 76118. Applicant's representative: Clint Oldham, 1108 Continental Life Bldg., Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers, semi-trailers, trailer chassis and semi-trailer chassis*, and (2) *parts and attachments* for the items

listed in (1) above, between the plant-site and storage facilities of Aztec Products, Inc. located at or near Mansfield, Tex., on the one hand, and, on the other, points in the United States, including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas or Fort Worth, Tex.

No. MC 120761 (Sub-No. 12), filed July 26, 1976. Applicant: NEWMAN BROS. TRUCKING COMPANY, 6559 Midway Rd., Fort Worth, Tex. 76118. Applicant's representative: Clayte Binion, 1108 Continental Life Bldg., Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel articles*, from the plant-site of Nucor Steel Corp. located at or near Jewett, Tex., to points in Arizona, Arkansas, Colorado, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma and Tennessee; and (2) *scrap iron and scrap steel and crushed motor vehicle bodies*, from points in Arizona, Arkansas, Colorado, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma and Tennessee, to the plant facilities of Nucor Steel Corp. located at or near Jewett, Tex.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas or Fort Worth, Tex.

No. MC 123407 (Sub-No. 322), filed July 29, 1976. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Hwy. 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feldspar and foundry materials and supplies* (except commodities in bulk), (1) from points in the United States (except Alaska and Hawaii), to Tempe, Ariz., and Lindon, Utah; and (2) from points in the United States (except Alaska, Arizona, California, Hawaii, Illinois, Indiana, Kansas, Michigan, Missouri, Ohio, South Dakota, Wisconsin, and Wyoming), to Englewood, Colo.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 123765 (Sub-No. 6), filed July 26, 1976. Applicant: BARRY TRANSFER & STORAGE CO., INC., 120 East National Ave., Milwaukee, Wis. 53204. Applicant's representative: William C. Dineen, 710 North Plankinton Ave., Milwaukee, Wis. 53203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by retail department stores, between the retail outlets, storage facilities and distribution centers of H. C. Prange Co. located in Wisconsin on the one hand, and, on the other, the retail outlets and storage facilities of H. C. Prange Co. located at or near Marquette, Mich., restricted to traffic originating at or

destined to the said retail outlets, storage facilities and distribution centers of H. C. Prange Co.

NOTE.—Applicant holds contract carrier authority in No. MC 6031 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Milwaukee or Madison, Wis.

No. MC 124027 (Sub-No. 16), filed July 16, 1976. Applicant: MIDWEST BULK, INCORPORATED, 901 Lyndale Avenue, Neenah, Wis. 54956. Applicant's representative: Frank M. Coyne, 25 West Main Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foundry sand additives and ingredients and processed clay*, in bulk, in bags, and in mixed loads, from Neenah, Wis., to points in Iowa and Minnesota; and (2) *foundry sand additives and ingredients and processed clay*, in bulk, from Neenah, Wis., to points in Illinois.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 124078 (Sub-No. 698), filed July 26, 1976. Applicant: SCHWERMANN TRUCKING CO., 611 South 28 Street, Milwaukee, Wis. 53215. Applicant's representative: Richard H. Prevette, P.O. Box 1601, Milwaukee, Wis. 53201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Natural latex*, in bulk, in tank vehicles, from Charleston, S.C., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—Applicant holds contract carrier authority in No. MC 113832 (Sub-No. 68), therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 124774 (Sub-No. 96), filed July 28, 1976. Applicant: MIDWEST REFRIGERATED EXPRESS, INC., 4440 Buckingham Drive, P.O. Box 7344, Omaha, Nebr. 68107. Applicant's representative: Arlyn L. Westergren, 7100 West Center Road, 530 Univac Building, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plant-site of Farmland Foods, Inc., at or near Garden City, Kans., to points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New York, Ohio, Pennsylvania,

Rhode Island, Tennessee, Vermont, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Omaha, Nebr. or Kansas City, Mo.

No. MC 124839 (Sub-No. 29), filed July 27, 1976. Applicant: BUILDERS TRANSPORT, INC., P.O. Box 7057, Savannah, Ga. 31408. Applicant's representative: William P. Sullivan, 1819, H St., N.W., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and building materials, floor tile and floor covering, and insulating materials and materials, equipment and supplies*, used in the manufacture, installation or distribution of the foregoing group of commodities, (1) between points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas; and (2) between points in (1) on the one hand, and, on the other, points in Delaware, Illinois, Indiana, Maryland, Massachusetts, Missouri, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia, under a continuing contract, or contracts, with GAF Corporation, at South Bound Brook, N.J., restricted against the transportation of commodities in bulk.

NOTE.—If a hearing is deemed necessary, applicant does not specify a location.

No. MC 125433 (Sub-No. 81), filed July 23, 1976. Applicant: F-B TRUCK LINE COMPANY, 1945 South Redwood Road, Salt Lake City, Utah 84104. Applicant's representative: Kenneth W. Barber (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pre-finished vinyl, and covered paneling, particleboard, hardboard or composition board, fiberboard, gypsumboard and molding*, from the plantsite of Sioux Veneer Panel Co., located at or near Boise, Idaho, to points in the United States (except Alaska and Hawaii), restricted to shipments originating at the plantsite of Sioux Veneer Panel Co. located at or near Boise, Idaho.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Salt Lake City, Utah or Boise, Idaho.

No. MC 125470 (Sub-No. 18), filed July 28, 1976. Applicant: MOORE'S TRANSFER, INC., P.O. Box 1151, Norfolk, Nebr. 68701. Applicant's representative: Gailyn L. Larsen, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carbonated beverages in bottles or cans*, from Ottumwa, Iowa, to points in Arkansas, Illinois, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Lincoln, Nebraska or Ottumwa, Iowa.

No. MC 127042 (Sub-No. 175), filed July 26, 1976. Applicant: HAGEN, INC., 3232 Highway 75 North, P.O. Box 98, Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Robert G. Tassar (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), in mechanically refrigerated vehicles, from points in the Kansas City, Kans.-Kansas City, Mo. Commercial Zone, to points in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant does not specify a location.

No. MC 127042 (Sub-No. 176), filed July 30, 1976. Applicant: HAGEN, INC., 3232 Highway 75 North, P.O. Box 98, Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Robert G. Tassar (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bagged soda ash*, from points in Sweetwater County, Wyo., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 127411 (Sub-No. 4) filed July 21, 1976. Applicant: KERDELL WITTMIER, doing business as WITTMIER TRUCKING SERVICE, Napoleon, N. Dak. 58561. Applicant's representative: Kerdel Wittmier (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beer*, from St. Paul, Minn., to Spokane, Wash., under a continuing contract with Northwest Distributors, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Fargo or Bismarck, N. Dak.

No. MC 128527 (Sub-No. 67), filed July 28, 1976. Applicant: MAY TRUCKING COMPANY, a Corporation, P.O. Box 398, Payette, Idaho 83661. Applicant's representative: Edward G. Rawle, 4635 S.W. Lakeview Blvd., Lake Oswego, Ore. 97034. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulated coatings*, from Emmett, Idaho, to points in Arizona, California, Oregon, Montana, Nevada, Utah, and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Boise, Idaho, Portland, Ore. or Seattle, Wash.

No. MC 128831 (Sub-No. 11), filed July 16, 1976. Applicant: DIXON RAPID TRANSFER, INC., R.F.D. #3, East River Road, Dixon, Ill. 61021. Applicant's representative: Robert H. Levy, 29 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and duct*, used in heating, cooling, air con-

ditioning and exhaust systems; *materials and supplies*, used in the installation thereof; and *building construction wall sections and accessories and parts*, used in the installation thereof, from the plantsite of United Sheet Metal Division of McGill Corp., at Westerville, Ohio, to points in Massachusetts, Michigan, Missouri, New Jersey, New York and Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 129480 (Sub-No. 25) filed July 22, 1976. Applicant: TRI-LINE EXPRESSWAYS, LTD., 550-71st Avenue, S.E., Calgary, Alberta, Canada T2H 0S6. Applicant's representative: Leslie R. Kehl, Suite 1600 Lincoln Center Bldg., 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural chemicals* (except in bulk), from Des Moines, Iowa, and the plantsite and warehouse facilities of Monsanto Co., at or near Muscatine, Iowa, to ports of entry on the International Boundary line between the United States and Canada, located in Minnesota, Montana, and North Dakota, restricted to transportation of shipments destined to points in Alberta, Saskatchewan and Manitoba Provinces, Canada.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Denver, Colo.

No. MC 133095 (Sub-No. 105), filed July 26, 1976. Applicant: TEXAS CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Hugh T. Matthews, 2340 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electronic equipment and materials, equipment and supplies*, used in the manufacture and distribution thereof, between Seguin, Tex., on the one hand, and, on the other, points in the United States (except Alaska & Hawaii).

NOTE.—Applicant holds contract carrier authority in MC 136032 and subs thereunder, therefore dual operations may be involved.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 133377 (Sub-No. 8), filed July 27, 1976. Applicant: COMMERCIAL SERVICES, INC., 114 Memorial Road, Storm Lake, Iowa 50588. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat by-products, articles distributed by meat packing plants, and foodstuffs* (except hides and commodities in bulk), from the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co., at or near Knoxville, Iowa, to points in Illinois, Minnesota and Nebraska; and (2) *meat, meat products, meat by-products, articles dis-*

tributed by meat packing plants, food-stuffs and packing plant materials, equipment and supplies (except hides and commodities in bulk), from points in Illinois, Minnesota, and Nebraska, to the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co., at or near Knoxville, Iowa, restricted to traffic originating at and destined to the named origins and destinations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 133655 (Sub-No. 94), filed July 26, 1976. Applicant: TRANS-NATIONAL TRUCK, INC., P.O. Box 4168, Amarillo, Tex. 79105. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, (1) from Plainview, Tex., to points in Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New Mexico, North Dakota, Ohio, Rhode Island, South Dakota, Vermont, Virginia, West Virginia, Wisconsin, Wyoming, and the District of Columbia; and (2) from Friona, Tex., to points in Arizona, California, Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Ohio, Oregon, Rhode Island, South Dakota, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Kansas City, Mo.

No. MC 133977 (Sub-No. 23), filed July 23, 1976. Applicant: GENE'S, INC., 10115 Brookville Salem Rd., Clayton, Ohio 45315. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cream, liquid cream substitute, egg substitutes, sauces, dressings, and salads* (except in bulk), from Newburgh, N.Y., to points east of the Mississippi River.

NOTE.—Applicant holds contract carrier authority in No. MC 134238 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 134068 (Sub-No. 30), filed July 28, 1976. Applicant: KODIAK REFRIGERATED LINES, INC., 3336 E. Fruitland Ave., P.O. Box 58327, Vernon, Calif. 90058. Applicant's representative: Joseph W. Harvey, P.O. Box 1018, Denver, Colo. 80201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Wheel goods*, from Olney, Ill., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington and Wyoming.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or St. Louis, Mo.

No. MC 134404 (Sub-No. 28), filed July 28, 1976. Applicant: AMERICAN TRANS-FREIGHT, INC., P.O. Box 499, South Bound Brook, N.J. 08880. Applicant's representative: Eugene M. Malkin, Suite 6193, 5 World Trade Center, New York N.Y. 10048. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Cleaning products, nutritional foods and related articles, toilet preparation, and materials, supplies and equipment* used in the manufacture, distribution or sale of the above commodities (except commodities in bulk), from Urbana, Ohio and Franklin, Ky., to Charlotte, N.C., under a continuing contract or contracts with the Drackett Products Company, a division of Bristol Meyers of Cincinnati, Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y. or Washington, D.C.

No. MC 134453 (Sub-No. 13), filed July 28, 1976. Applicant: STERNILITE TRANSPORTATION COMPANY, Winsted, Minn. 55395. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Poles, parts and accessories for poles, steel piling, and steel radio broadcasting masts*, from Waukegan, Ill., to points in the United States (except Alaska and Hawaii), under a continuing contract, or contracts, with Union Metal Manufacturing Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 134735 (Sub-No. 11) (Correction), filed May 14, 1976, published in the FEDERAL REGISTER issue of June 24, 1976, and republished as corrected this issue. Applicant: ELTON GRAVES, doing business as ELTON GRAVES TRUCKING, P.O. Box 3044, Union Gap, Wash. 98903. Applicant's representative: Philip G. Skofstad, 18448 S.E. Pine Street, Portland, Ore. 97233. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal or poultry feed, feed ingredients, and feed supplements* (except liquids in bulk in tank vehicles), (1) from points in Oregon and Washington, to points in California; and (2) from points in California south of San Luis Obispo, Kern and Inyo Counties, to points in Oregon and Washington.

NOTE.—The purpose of this republication is to indicate the correct commodity and territorial description. If a hearing is deemed necessary, the applicant requests it be held at Portland, Ore.

No. MC 134755 (Sub-No. 70) (Correction), filed March 22, 1976, published in the FEDERAL REGISTER issue of April 22, 1976, and republished as corrected this issue. Applicant: CHARTER EXPRESS, INC., 1959 E. Turner St., P.O. Box 3772, Springfield, Mo. 65804. Applicant's representative: Larry D. Knox, 900 Hubbell

Bldg., Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tires and tubes*, from Conshohocken, Frazer, Montgomeryville, and Norristown, Pa., to points in Arizona, Arkansas, California, Colorado, Kentucky, Louisiana, Tennessee and Texas.

NOTE.—The purpose of this republication is to indicate the correct origin point as Montgomeryville, Pa. in lieu of Montgomery, Pa. as was previously published. Applicant holds contract carrier authority in No. MC-138398 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at either Philadelphia, Pa. or Kansas City, Mo.

No. MC 134922 (Sub-No. 188), filed July 28, 1976. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Bob McAdams (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, fresh or frozen, meat products and products produced by packinghouses*, from the plantsite of Farmland Foods, Inc. located at or near Garden City, Kans., to points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia and West Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Wichita, Kans. or Little Rock, Ark.

No. MC 134958 (Sub-No. 9), filed July 20, 1976. Applicant: HAMS EXPRESS, INC., 3499 South Third St., Philadelphia, Pa. 19148. Applicant's representative: David M. Schwartz, 1025 Connecticut Ave., NW., Suite 500, Washington, D.C. 20036. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, articles distributed by meat packinghouses, and such commodities as are used by meat packers in the conduct of their business when destined to and for use by meat packers, as described in Sections A, C, and D, of Appendix I to the report in Descriptions of Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except commodities in bulk and hides), (1) from the plantsite, warehouses, and storage facilities used by Blue Bird Food Products Co., at or near Philadelphia, Pa., to points in the United States (except Alaska, Hawaii, Idaho, Kansas, Montana, Nevada, New Mexico, North Dakota, South Dakota, and Wyoming); (2) from points in Alabama, Arkansas, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and Wisconsin, to the plantsite and other facilities of Blue Bird Food Products Co., at or near Philadelphia, Pa.; (3) from the warehouse facilities of Blue Bird Food

Products Co., at Cleveland, Ohio, to points in Michigan, Illinois, and New York; (4) from the warehouse facilities of Blue Bird Food Products Co., at Chicago, Ill., to points in Ohio, Michigan, Missouri, Wisconsin, Colorado, Oklahoma, Arkansas, Kentucky, Nebraska, Indiana, and New York.

(5) From the warehouse facilities of Blue Bird Food Products, Co., at Milwaukee, Wis., to points in Illinois, and Ohio; (6) from the plant site, warehouses, and storage facilities used by (a) Patrick Cudahy (Illinois) Incorporated located at or near Chicago, Ill., and (b) Patrick Cudahy (Wisconsin) Incorporated located at or near Cudahy, Wis., to points in the United States (except Alaska and Hawaii); (7) from cold storage warehouses at Denver, Colo., to points in California, Arizona, Montana, New Mexico, Oregon, Utah, and Washington; (8) from cold storage warehouses at Kansas City, Mo., to points in Arkansas, Missouri, New Mexico, Nebraska, Oklahoma, South Dakota, Tennessee, and Texas; (9) from cold storage warehouses at Nashville, Tenn., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, North Carolina, and South Carolina; (10) from cold storage warehouses at Cleveland, Ohio, to points in Maryland, Michigan, New York, Pennsylvania, Virginia, and West Virginia; (11) from points in Alabama, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Mississippi, Minnesota, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Virginia, and Wisconsin, to the plant site, warehouses, and storage facilities used by (a) Patrick Cudahy (Illinois) Incorporated and (b) Patrick Cudahy (Wisconsin) Incorporated, located at or near Chicago, Ill.; (12) from points in California, Colorado, Illinois, Indiana, Iowa, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, Pennsylvania, South Dakota, and Texas to the plant site, warehouses, and storage facilities used by Patrick Cudahy (Wisconsin) Incorporated located at or near Cudahy, Wis.; (13) from points in Alabama, Arkansas, Georgia, Kentucky, Oklahoma, Tennessee, and Texas, to cold storage warehouses at Peoria, Ill., and Indianapolis, Ind.; (14) from points in Georgia, Maryland, New Jersey, New York, North Carolina, Pennsylvania, and Virginia, to cold storage warehouses located at or near Benton Harbor, Mich., and Indianapolis, Ind.

(15) From points in Colorado, North Dakota, Oklahoma, South Dakota, Tennessee, and Texas, to cold storage warehouses located at or near Cedar Rapids and Davenport, Iowa, and Peoria, Ill., the foregoing operations are limited to a transportation service to be performed under continuing contracts with Blue Bird Food Products, Inc., of Philadelphia, Pa., Patrick Cudahy (Illinois) Incorporated of Chicago, Ill., and Patrick Cudahy (Wisconsin) Incorporated of Cudahy, Wis.

NOTE.—Applicant states it already holds contract carrier authority pursuant to permit in Dockets MC 134958, MC 134958 (Sub-No. 3), and MC 134958 (Sub-No. 5) to perform the operations requested in paragraphs, (1)–(5) limited to a transportation service to be performed, under a continuing contract, or contracts, with Blue Bird Food Products, Inc., of Philadelphia, Pa., except that it is also authorized to transport hides under the authority stated in paragraphs (1) and (2) above, which hides authority it will relinquish upon a grant of this application. Applicant states it also holds authority in Dockets MC 134958 (Sub-No. 6) to perform the operations authorized in paragraphs (6) (a), (7), (8), (9), (10) (a), (11) (a), (13), (14), and (15) under a continuing contract, or contracts, with Patrick Cudahy (Illinois) Incorporated. The purpose of this application is (a) to seek the additional authority set forth in paragraphs (6) (b), (11) (b), and (12); and (b) to modify applicant's existing permits described above, so as to permit transportation service to be performed pursuant to (1) through (15) inclusive, under continuing contracts with all three named shippers all of which are sister corporations, and wholly-owned subsidiaries of Bluebird Incorporated. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Philadelphia, Pa.

No. MC 135454 (Sub-No. 18), filed July 13, 1976. Applicant: DENNY TRUCK LINES, INC., 893 Ridge Road, Webster, N.Y. 14580. Applicant's representative: Francis P. Barrett, 60 Adams Street, P.O. Box 238, Milton, Mass. 02187. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, preserved or prepared (not cold pack nor frozen), from points in Ontario County, N.Y., to points in Maryland, New Jersey, Ohio, Pennsylvania, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 135733 (Sub-No. 5), filed July 2, 1976. Applicant: LETCO BULK CARRIERS, INC., 1751 Fuhrman Boulevard, Buffalo, N.Y. 14203. Applicant's representative: Robert D. Gunderman, Suite 710 Statler Hilton, Buffalo, N.Y. 14202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement*, from Buffalo, N.Y., to ports of entry on the International Boundary Line between the United States and Canada located at Buffalo and Lewiston, N.Y., restricted to shipments destined to points in the Province of Ontario, Canada.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Buffalo, N.Y.

No. MC 135824 (Sub-No. 1), filed July 30, 1976. Applicant: J. BERNARD KLAPEC, R.D. 1, 673 North Seneca Street, Oil City, Pa. 16301. Applicant's representative: John M. Musselman, P.O. Box 1146, 410 North Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Steel and steel products, ingots of high nickel content, and materials, supplies and equipment*, used or useful

in the production and distribution of steel and steel products, between Oil City, Pa., on the one hand, and, on the other, points in Alabama, Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, Texas, Washington, West Virginia, Wisconsin, Wyoming, and the District of Columbia; and (2) *steel and steel products*, from Kokomo, Ind., to Baltimore, Md., Monroeville, Pa.; Toledo, Ohio; Detroit, Mich.; Plaquemine and Mussle Shoals, La.; and Houston, Tex.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 136746 (Sub-No. 4), filed July 19, 1976. Applicant: CONSOLIDATED PARCEL SERVICE, INC., 9847 Page Blvd., St. Louis, Mo. 63132. Applicant's representative: Joseph E. Reberman, 1230 Boatmen's Bank Bldg., 314 N. Broadway, St. Louis, Mo. 63102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Merchandise, equipment and supplies*, sold, used or distributed by a manufacturer of cosmetics, from St. Louis, Mo., to points in Perry, Ste. Genevieve, Ste. Francois, Cape Girardeau, Madison, Jefferson, Bollinger, Iron, Wayne, Boone and Cole Counties, Mo., under a continuing contract, or contracts, with Avon Products, Inc., at Morton Grove, Ill.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo. or Chicago, Ill.

No. MC 138076 (Sub-No. 6), filed July 26, 1976. Applicant: HEAVY HAULING, INC., 1100 West Grand, Salina, Kans. 67401. Applicant's representative: Clyde N. Christey, 514 Capitol Federal Bldg., 700 Kansas Ave., Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, (1) from the plantsite and storage facilities of Steel & Pipe Supply, Inc., located at or near Manhattan, Kans., to points in Colorado, Iowa, Missouri, Nebraska, Oklahoma, Texas and Wyoming, (2) from points in Colorado, Illinois, Missouri, Nebraska and Oklahoma, to the plantsite and storage facilities of Steel & Pipe Supply, Inc., located at or near Manhattan, Kans.; and (3) from the plantsite and storage facilities of Steel & Pipe Supply, Inc., located at or near Muskogee, Okla., to points in Kansas and Nebraska, restricted in (1), (2) and (3) above, to traffic originating at points of origin and destined to points of destination.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Kansas City, Mo. or Topeka, Kans.

No. MC 138104 (Sub-No. 35), filed July 29, 1976. Applicant: MOORE TRANSPORTATION CO., INC., 3509 N. Grove Street, Fort Worth, Tex. 76106. Applicant's representative: Bernard H. English, 6270 Firth Road, Fort Worth, Tex.

76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel welded storage tanks*, from Mexia, Tex., to points in Arkansas, Kansas, Louisiana, New Mexico, and Oklahoma.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas or Fort Worth, Tex.

No. MC 138520 (Sub-No. 1), filed July 22, 1976. Applicant: R. JOHNS TRANSPORTER, INC., 2206 Patterson Avenue, S.W., Roanoke, Va. 24016. Applicant's representative: Kenneth N. Hylton, 2905 Cadillac Tower, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment because of size or weight), between points in Alabama, Delaware, Georgia, Maryland, New York, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Richmond, Va.

No. MC 138552 (Sub-No. 3), filed July 27, 1976. Applicant: MILTON MC-COMBS, JR., 2006 North Central Avenue, Tifton, Ga. 31794. Applicant's representative: Ronald D. Peterson, 1729 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wet gypsum*, in bulk, in dump vehicles, from points in Jackson County, Miss., to points in Alabama, Florida and Georgia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 138627 (Sub-No. 12), filed July 16, 1976. Applicant: SMITHWAY MOTOR EXPRESS, INC., P.O. Box 404, Fort Dodge, Iowa 50501. Applicant's representative: Arlyn L. Westergren, 7100 West Center Road, 530 Univac Building, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured iron and steel articles*, from St. Louis, Mo. and points in Madison County, Ill., to Shreveport, La., and points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Missouri, Nebraska, Ohio, Oklahoma and Tennessee, restricted to the transportation of traffic originating at the plantsites of and facilities utilized by Steelabrade Corporation; Laclede Steel Company; Caine Steel Company; Granite City Steel Division, National Steel Corporation; Armco Steel Corporation; Missouri Rolling Mill Corporation; Metal Services, Inc.; and Wheeling-Pittsburgh Steel Corporation, and destined to named destination points.

NOTE.—Applicant states the purpose of this application is to convert its Permit in No. MC 66955 to a Certificate of Public con-

venience and Necessity. If a hearing is deemed necessary, the applicant requests it be held at either Omaha, Nebr. or Chicago, Ill.

No. MC 139658 (Sub-No. 12), filed July 26, 1976. Applicant: HARRY POOLE, INC., 2322 Kensington Road, Macon, Ga. 31201. Applicant's representative: William Addams, 5299 Roswell Road, N.E., Ste. 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, in dump trucks, from points in Bledsoe, Rhea, Hamilton, Sequatchie and Roane Counties, Tenn., to points in Alabama and Georgia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 140016 (Sub-No. 5), filed July 27, 1976. Applicant: TRANSPORTATION SERVICES, INC., 1285 Glendale Road, Sparks, Nev. 89431. Applicant's representative: Daniel W. Baker, 100 Pine Street, Suite 2550, San Francisco, Calif. 94111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Malt beverages and related advertising materials*, from the plantsite of Anheuser-Busch, Inc., near Fairfield, Calif., to points in Nevada on or north of Interstate Highway 6; and (b) *returned malt beverages*, on return.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Reno or Carson City, Nev.

No. MC 140024 (Sub-No. 66), filed July 15, 1976. Applicant: J. B. MONTGOMERY, INC., 5565 East 52nd Avenue, Commerce City, Colo. 80022. Applicant's representative: John F. DeCock (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel scrap*, from points in Colorado, Iowa, Kansas, Minnesota, Missouri and Wisconsin, to the facilities of Nucor Steel Division of Nucor Corporation, located at or near Norfolk, Nebr., restricted to traffic originating at named origins and destined to named destination.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC 140033 (Sub-No. 16), filed July 29, 1976. Applicant: COX REFRIGERATED EXPRESS, INC., 10606 Goodnight Lane, Dallas, Tex. 75205. Applicant's representative: E. Larry Wells, 4645 N. Central Expressway, Dallas, Tex. 75205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel pipe fittings*, from the plantsite and warehouse facilities of Tube-Line Manufacturing Co., located at or near Long Island City, N.Y., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kentucky, Missouri, New Mexico, Ohio, Oklahoma, Oregon, Tennessee, Texas, Utah and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York City, N.Y. or Washington, D.C.

No. MC 140168 (Sub-No. 3) filed July 15, 1976. Applicant: FANETTI REFRIGERATED TRANSPORT, Rt. 1, Box 29-A, Bloomer, Wis. 54274. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats*, fresh, inedible, from Greenwood and Cameron, Wis., to Los Angeles, Calif.; Seattle, Wash.; Fort Dodge, Iowa; Topeka and Kansas City, Kans.; and Kansas City, Mo.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 140363 (Sub-No. 4), filed July 28, 1976. Applicant: CHAMP'S TRUCK SERVICE, INC., P.O. Box 1233, Meraux, La. 70075. Applicant's representative: Edward A. Winter, 345 Rosewood Drive, Metairie, La. 70005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke*, in bulk, in dump vehicles, from Purvis, Miss., to Brunsd, Chalmette, Davant, and New Orleans, La.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New Orleans, La., Jackson or Gulfport, Miss., or Houston, Tex.

No. MC 140484 (Sub-No. 19), filed July 19, 1976. Applicant: LESTER COGGINS TRUCKING, INC., P.O. Box 69, Fort Myers, Fla. 33902. Applicant's representative: Clayton Geer, P.O. Box 808, Ravenna, Ohio 44266. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electric motors, electric welders, and parts and accessories*, for electric motors and electric welders; *welding supplies, and hand truck parts* (except commodities which because of their size and weight require the use of special equipment), (1) from Cleveland and Mentor, Ohio, to points in Alabama, Florida, Georgia, Kansas, and Mississippi; (2) from Cleveland and Mentor, Ohio, to Baltimore, Md.; and (3) *empty containers*, from Baltimore, Md., to Cleveland, Ohio, restricted in Part (2) above, to traffic having a subsequent movement by water.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio, or Washington, D.C.

No. MC 140800 (Sub-No. 1), filed July 23, 1976. Applicant: COLONIAL TRANSPORTATION, INC., East Arrowhead Drive, McMinnville, Tenn. 37110. Applicant's representative: Robert L. Baker, Suite 618 United American Bank Bldg., Nashville, Tenn. 37219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Electric motors, brake drums, disc brakes and parts thereto, and parts, materials, equipment and supplies* used in the manufacture of the above commodities, between points in Tennessee, on the one hand, and, on the other, points in Illinois, New Jersey, New York, Ohio,

Pennsylvania and Virginia, under a continuing contract, or contracts, with Gould Inc., Century Electric Division.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Nashville, Tenn.

No. MC 140883 (Sub-No. 9), filed July 29, 1976. Applicant: DOWNS TRANSPORTATION CO., INC., 2705 Canna Ridge Circle, NE, Atlanta, Ga. 30345. Applicant's representative: K. Edward Wolcott, 1600 First Federal Bldg., Atlanta, Ga. 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Expanded polystyrene and insulated panels with metal, wood and plastic skins*, from Florence, Ky., to points in the United States (except Alaska and Hawaii), under a contract with Kysor/Isowall, Division of Kysor Industrial Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 141010 (Sub-No. 2), filed July 29, 1976. Applicant: CONTRACT TRANSPORT, INC., R.R. No. 3, Norwalk, Iowa 50211. Applicant's representative: James M. Hodge, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, (1) from Tulsa, Okla. and Omaha, Nebr., to the plantsite and warehouse facilities of Distinctive Packaging, located at Madrid, West Des Moines, and Spirit Lake, Iowa; and (2) between the plantsite and warehouse facilities of Distinctive Packaging, located at Madrid, West Des Moines, and Spirit Lake, Iowa, on the one hand, and, on the other, points in Minnesota, Nebraska, South Dakota and Wisconsin, under contracts in (1) and (2) with Distinctive Packaging.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Des Moines, Iowa; or St. Paul or Minneapolis Minn.

No. MC 141197 (Sub-No. 6), filed July 23, 1976. Applicant: FLEMING-BABCOCK, INC., 4106 Mattox Road, Riverside, Mo. 64190. Applicant's representative: Lucy Kennard Bell, 910 Brookfield Building, 101 West Eleventh Street, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from the mine sites of Custom Coal Company, located in Craig County, Okla., to the James River Power Plant, located at or near Springfield, Mo.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 141448 (Sub-No. 1), filed July 16, 1976. Applicant: DUNCAN SALES & LEASING COMPANY, INC., 714 East Baseline, Buckeye, Ariz. 85326. Applicant's representative: George S. Livermore, 2701 East Camelback, Suite 100, Phoenix, Ariz. 85016. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel pipe or tubing commonly known*

as *steel culvert, multiple plate, guard rails, truss pipe, cattle guards, end sections, bands, bolts, nuts, grates, assembly pieces and plastic pipe*, between points in Arizona, restricted to traffic having a prior movement in interstate commerce, under a continuing contract, or contracts, with ARMCO Steel Corporation.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Phoenix or Tucson, Ariz.

No. MC 141618 (Sub-No. 2), filed July 29, 1976. Applicant: DAVID C. BURNS, doing business as DAVID C. BURNS TRUCKING, 1146 East Main Street, Casa Grande, Ariz. 85222. Applicant's representative: Donald E. Fernaays, Suite 320, 4040 East McDowell Road, Phoenix, Ariz. 85008. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rockwool insulation (except in bulk)*, from Fontana, Calif., to points in Arizona, under a continuing contract, or contracts, with Rockwool Industries, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Phoenix, Ariz.

No. MC 141782 (Sub-No. 2), filed July 12, 1976. Applicant: C & C CARTAGE COMPANY, INC., No. 3 Birkenhead Street, Port Wentworth, Ga. 31407. Applicant's representative: John B. Miller, 33 Bull Street, P.O. Box 1567, Savannah, Ga. 31402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities (except Classes A and B explosives)*, between points within the Savannah, Ga. Commercial Zone, restricted (a) to commodities in intermodal cargo containers and empty containers, container chassis and accessory and auxiliary equipment; (b) to transportation having a prior or subsequent movement by water; (c) excluding that part of the Savannah Commercial Zone located in the State of South Carolina; and (d) excluding the transportation of motor vehicles.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Savannah, Ga., or Jacksonville, Fla.

No. MC 142047 (Sub-No. 2), filed July 26, 1976. Applicant: CHEYENNE TRUCK LEASING, INC., 6500 Jericho Turnpike, P.O. Box 314, Commack, N.Y. 11725. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paint thinner and ingredients thereof*, from the plantsites and shipping facilities of Globe Solvent, Inc., at Philadelphia, Pa., to points in Illinois, Louisiana, Missouri, Ohio, Tennessee, and Virginia; and (2) *plasticizers and polyesters*, from the plantsites and shipping facilities of Hooker Chemical, Inc., at Hicksville, N.Y., to points in Florida, Illinois, Minnesota, Missouri, Ohio, and West Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 142047 (Sub-No. 3), filed July 26, 1976. Applicant: CHEYENNE TRUCK LEASING, INC., 6500 Jericho Turnpike, P.O. Box 314, Commack, N.Y. 11725. Applicant's representative: A. Charles Tell, 100 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials, fertilizer ingredients, and herbicides, insecticides and pesticides* when moving in mixed shipments with fertilizers (restricted against the transportation of commodities in bulk), (1) between the plantsite and shipping facilities of Famco, Inc. located in Medina, Ohio and the plantsite and shipping facilities of Andersons located at Maumee, Ohio, on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Jersey, New York, Pennsylvania, Rhode Island and South Dakota; and (2) between the plantsites and shipping facilities of Plant Products, Inc. located at or near Blue Point, N.Y., on the one hand, and, on the other, points in Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia and West Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 142065 (Sub-No. 1), filed July 20, 1976. Applicant: DAVID BENEUX PRODUCE AND TRUCKING, INC., P.O. Box 232, Mulberry, Ark. 72947. Applicant's representative: L. C. Cypert, Suite 3, 204 Highway 71 North, Springdale, Ark. 72764. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foods, foodstuffs, and food preparations, ingredients and additives (except in bulk)*, in vehicles equipped with mechanical refrigeration, between Russellville, Ark., and Searcy, Ark., on the one hand, and, on the other, points in Arizona, California, Illinois, Indiana, Iowa, Kansas, Maryland, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia and Wisconsin, under a continuing contract, or contracts, with Morton Frozen Food.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Little Rock, Ark. or Tulsa, Okla.

No. MC 142126 (Sub-No. 2), filed July 26, 1976. Applicant: FOAM TRANSPORT, INC., Dundee Park, Andover, Mass. 01810. Applicant's representative: Arthur M. Marshall, 135 State St., Suite 200, Springfield, Mass. 01103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Urethane foam*, loose, wrapped or in containers, from Andover, Mass., on the one hand, and, on the other, points in Connecticut, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Ohio, Rhode Island and Vermont; and (2) *toluene diisocyanate*,

in bulk, in tank vehicles, from Ashtabula and Painesville, Ohio and Washington, N.J., to the plantsite of GSF Corp. located at Andover, Mass., under a continuing contract, or contracts, with GSF Corp. located at Andover, Mass.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC 142231 (Sub-No. 1), filed July 29, 1976. Applicant: TRI-L CONTRACT CARRIER, INC., 2400 Tower Place, 3340 Peachtree Rd., NE., Atlanta, Ga. 30326. Applicant's representative: Richard M. Tettelbaum, 3379 Peachtree Road, NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wire, impregnated iron or steel pipe, and iron or steel articles*; and (2) *such commodities as are used by or are useful in the manufacture, distribution or sale of wire, impregnated iron or steel pipe and iron or steel articles (except commodities which because of size or weight, require the use of special equipment), between the plantsite and facilities utilized by the Oxylynce Corporation, in Cobb County, Ga., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under a continuing contract with Oxylynce Corporation.*

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 142278 (Sub-No. 1), filed July 29, 1976. Applicant: NORMAN PETERSON AND CHARLES HEAVIRLAND, a Partnership, doing business as P & H TRUCKING, Box 228, Floodwood, Minn. 55736. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pressed fibreboard, formed panels for automotive use, from Floodwood, Minn., to Detroit, Mich., and Norwalk, Ohio, under a continuing contract, or contracts, with Van Dresser Corporation.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Minneapolis or St. Paul, Minn.

No. MC 142280 (Sub-No. 1), filed July 22, 1976. Applicant: ROBERT C. WEED, doing business as NORTHERN ILLINOIS TRANSIT, 922 East Route 20, Rock Falls, Ill. 61071. Applicant's representative: Daniel C. Sullivan, 327 South LaSalle Street, Chicago, Ill. 60604. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Refractory products and materials (except commodities in bulk), from Lake County, Ind., to Sterling, Ill., under a continuing contract or contract with Northwestern Steel & Wire Company.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Sterling or Chicago, Ill.

No. MC 142292, filed July 21, 1976. Applicant: R. WARREN WHITLEY, Box

173, Belleville, Ontario, Canada. Applicant's representative: William J. Hirsch, Suite 1125, 43 Court Street, Buffalo, N.Y. 14202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pre-cast and pre-stressed concrete structural products, from ports of entry on the International Boundary Line between the United States and Canada located in Michigan and New York, to points in Michigan, New York and Ohio, and returned shipments of damaged and rejected pre-cast and pre-stressed concrete products in return, under a continuing contract, or contracts, with Stanley Structures Ltd. and Pre-Con Company, Division of St. Marys Cement Ltd.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Buffalo, N.Y.

No. MC 142303, filed July 28, 1976. Applicant: CUTLER & LEE, INC., Route 73 & Regent Ave., Maple Shade, N.J. 08052. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Vehicles for salvage, from points in Connecticut, Delaware, Maryland, New York and Pennsylvania, to South Plainfield, N.J., under a continuing contract, or contracts, with Fireman's Fund Insurance, doing business as Falcon Customer Service Center-Fireman's Fund Customer Service Center.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y. or Washington, D.C.

No. MC 142310, filed July 26, 1976. Applicant: H. O. WOLDING, INC., P.O. Box 56, Nelsonville, Wis. 54458. Applicant's representative: Wayne W. Wilson, 329 West Wilson Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potato products and advertising materials, equipment and supplies (except commodities in bulk), from Plover and Beaver Dam, Wis., to points in the United States (except Alaska and Hawaii).*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Stevens Point or Madison, Wis.

No. MC 142311, filed July 28, 1976. Applicant: MR. STEAK TRANSPORTATION COMPANY, INC., 5100 Race Court, Denver, Colo. 80216. Applicant's representative: Charles J. Kimball, 350 Capitol Life Center, 1600 Sherman Street, Denver, Colo. 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and restaurant materials, equipment and supplies, between the facilities of Mr. Steak, Inc., located at Denver, Colo., on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, restricted to the transportation of traffic under a continuing contract, or contracts, with Mr. Steak, Inc.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 142312, filed July 28, 1976. Applicant: RALPH JAMES WOODWORTH, doing business as RALPH JAMES WOODWORTH & SONS BULK TRANSPORTATION, 17 Saratoga Drive, Englishtown, N.J. 07726. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic granules, in shipper owned trailers, from Windsor, N.J., to points in the United States east of and including Iowa, Minnesota, Missouri, Oklahoma and Texas, under a continuing contract, or contracts, with Eastern Sterling Plastics Co.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y. or Washington, D.C.

No. MC 142320, filed July 21, 1976. Applicant: FLEMING TRANSPORT COMPANY, Box 337, Long Lake, Minn. 55356. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural implements and parts and accessories, from Long Lake, Minn., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Nebraska, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Vermont, Virginia, West Virginia and Wisconsin; and (2) parts, materials and supplies used in the manufacture of the commodities in (1) above, from points in Colorado, Connecticut, Illinois, Indiana, Iowa, Michigan, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Washington and Wisconsin, to Long Lake, Minn.; both (1) and (2) above are under a continuing contract, or contracts, with Fleming Mfg. Co., Inc.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

PASSENGER APPLICATIONS

No. MC 29839 (Sub-No. 5), filed July 2, 1976. Applicant: EVERGREEN STAGE LINES, INC., 9038 N. Denver, P.O. Box 17306, Portland, Ore. 97217. Applicant's representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Avenue, Portland, Ore. 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage in one-way charter operations (1) from points in Multnomah County, Ore., and Clark County, Wash. to points in Alaska; and (2) from points in Alaska to Multnomah County, Ore. and Clark County, Wash.*

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at Portland, Ore.

No. MC 102676 (Sub-No. 13), filed June 23, 1976. Applicant: WORCESTER BUS CO., INC., 287 Grove St., Worcester, Mass. 01605. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass. 02108. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Passengers*, in special operations, from Oxford, Webster and Worcester, Mass., to the sites of Plainfield Greyhound Park, located in Plainfield, Conn., and Yankee Greyhound Racing, Inc. Track, located in Seabrook, N.H., and return, during the racing seasons.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Worcester or Boston, Mass.

No. MC 140845 (Sub-No. 3), filed July 26, 1976. Applicant: HOKE BUS LINES, INC., 2600 Willowburn Avenue, Dayton, Ohio 45427. Applicant's representative: Lewis S. Witherspoon, 88 East Broad Street, Suite 930, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter and special operations, in round-trip sightseeing and pleasure tours, beginning and ending at points in Darke, Defiance, Fulton, Hardin, Henry, Mercer, Paulding, Van Wert, and Williams Counties, Ohio, and extending to points in the United States, including Alaska but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

BROKER APPLICATIONS

No. MC 12954 (Sub-No. 1) (Correction), filed June 16, 1976, published in the FR issue of July 22, 1976, republished as corrected this issue. Applicant: ROGER L. TROMPH, doing business as TROMP TOURS, 19 Coolidge Park, Wakefield, Mass. 01880. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass. 02108. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Wakefield, Mass., to sell or offer to sell the transportation of *Passengers and their baggage*, in charter and special operations, under arrangements with motor, air, water and rail carriers, beginning and ending at points in Middlesex County, Mass. (excluding Lowell, Mass.), and extending to points in the United States (excluding Alaska and Hawaii).

NOTE.—The purpose of this republication is to correct applicant's requested authority. Applicant requests that his brokerage license MC 12954 be revoked upon issuance of the authority as applied for. If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC 130245 (Sub-No. 1), filed July 28, 1976. Applicant: ELMER SCHEFFLER AND JEANETTE SCHEFFLER, a Partnership, doing business as FOUR SEASONS TOURS, 21 Sandra Court, Saginaw, Mich. 48605. Applicant's representative: Karl L. Gotting, 1200 Bank of Lansing Bldg., Lansing, Mich. 48933. Au-

thority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Saginaw, Mich., to sell or offer to sell the transportation of *passengers*, as individual and in groups, and *their baggage* in the same vehicle with passengers, in charter and special operations, by air, water, motor and rail carriers, beginning and ending at points in the Lower Peninsula of Michigan and extending to points in the United States, including Alaska and Hawaii (except Flint, Grand Rapids, and Lansing, Mich.).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Lansing, Mich.

FINANCE APPLICATIONS

The following applications seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control through ownership of stock, of rail carriers or motor carriers pursuant to Sections 5(2) or 210a(b) of the Interstate Commerce Act.

An original and two copies of protests against the granting of the requested authority must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protest shall comply with Special Rules 240(c) or 240(d) of the Commission's General Rules of Practice (49 CFR 1100.240) and shall include a concise statement of protestant's interest in the proceeding. A copy of the protest shall be served concurrently upon applicant's representative, or applicant, if no representative is named.

No. MC-F-12838. Authority sought for purchase by WEISS TRUCKING COMPANY, INC., Box 7, Mongo, IN., 46771, of a portion of the operating rights and property of C & K TRANSPORT, INCORPORATED, P.O. Box 220, New Buffalo, MI., 49117, and for acquisition by LEON WEISS, Box 7, Mongo, IN., 46771, of control of such rights through the purchase. Applicants' attorneys: James R. Stiversen, 1396 West Fifth Avenue, Columbus, OH., 43212, and Leonard D. Verdier, Jr., One Vandenberg Center, Grand Rapids, MI., 49502. Operating rights sought to be transferred: *Cement*; as a *contract carrier* over irregular routes, from Buffington, Indiana, to Muskegon, Michigan and points in Allegan, Barry, Eaton, Ingham, Livingston, Van Buren, Kalamazoo, Calhoun, Jackson, Washtenaw, Berrien, Cass, St. Joseph, Branch, Hillsdale, and Lenawee Counties, Michigan; and, *empty cement sacks*, from the above-described destination points to Buffington, Indiana; *stone*, (broken, ground, crushed, or pulverized) and *lime*, in bulk or in bags, from Chicago, Illinois, to points in the Lower Peninsula of Michigan, and points in Lake, Porter, La Porte, St. Joseph, Elkhart, Lagrange, and Steuben Counties, Indiana, with no transportation for compensation on return except as otherwise authorized; *fly ash*, from Chicago and Romeo, Illinois, to points in the Lower Peninsula of Michigan, and points in Lake, Porter, La Porte, St. Joseph, Elk-

hart, Lagrange and Steuben Counties, Indiana, with no transportation for compensation on return except as otherwise authorized, with restrictions; *lime*, from points in Muskegon County, Michigan, to Chicago, Illinois, with no transportation for compensation on return except as otherwise authorized, with restrictions; *cement*, from Buffington, Indiana, to points in Michigan, with no transportation for compensation on return except as otherwise authorized, with restrictions. Vendee is authorized to operate as a *common carrier* in Delaware, the District of Columbia, Illinois, Indiana, Iowa, Kentucky, Missouri, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and Wisconsin. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12930. Authority sought for purchase by SUTHERLAND TRANSPORTATION CORP., 100 Allwood Avenue, Central Islip, N.Y., 11722, of the operating rights of METROPOLITAN TRUCK TRANSPORTATION INC., 115 Jacobus Avenue, Kearny, N.J., 07032, and for acquisition by VINCENT JAMES BECK, 52 Gauguin Court, Middle Island, New York, of control of such rights through the purchase. Applicants' representative: Gerard V. Muldoon, Vice President, Sutherland Transportation Corp., 100 Allwood Avenue, Central Islip, N.Y., 11722. Operating rights sought to be transferred: *General commodities*, with exceptions, as a *common carrier* over irregular routes between New York, N.Y., on the one hand, and, on the other, Newark and Elizabeth, N.J. Vendee is authorized to operate as a *common carrier* in New York. Application has been filed for temporary authority under section 210a(b). MC 120648 (Sub No. 4) is a directly related matter.

No. MC-F-12940. Authority sought for purchase by SMITH'S TRANSFER CORPORATION, P.O. Box 1000, Staunton, VA., 24401, of a portion of the operating rights of ASSOCIATED TRANSPORT, INC., THOMAS J. CAHILL, TRUSTEE IN BANKRUPTCY, Eastern & Moonachie Avenues, Carlstadt, attorneys: David G. Macdonald, 1000 Staunton, VA., 24401, of control of such rights through the purchase. Applicants' attorneys: David G. Macdonald, 1000-16th Street, N.W., Washington, D.C., 20036, and Fritz R. Kahn, 1660 L Street, N.W., Washington, D.C., 20036, and Arthur S. Ollick, 630 Fifth Avenue, New York, N.Y., 10020. Operating rights sought to be transferred: *General commodities*, with exceptions as a *common carrier* over regular routes between Richmond, Va. and Washington, D.C., return over the same route, service is authorized at all intermediate points and at the off-route points of Hopewell, Amthill, Deep Run Spur, those within 3 miles of said route without restriction, those more than 3 miles of said route and within 10 miles of said route, and those within 20 miles of Richmond, re-

stricted to traffic moving to or from points other than Washington, D.C., Baltimore, Md. and points within 5 miles of Baltimore, between Lynchburg, Va., and Richmond, Va., serving all intermediate points; and serving off-route points within 10 miles of said route; from Lynchburg over U.S. Highway 460 to Burkeville, Va., thence over U.S. Highway 360 to Richmond, and return over the same route. Vendee is authorized to operate as a common carrier in Connecticut, Delaware, the District of Columbia, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Virginia, West Virginia, and Wisconsin. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12942. Authority sought for purchase by GREAT COASTAL EXPRESS, INC., 501 South 14th Street, Richmond, VA 23219, of a portion of the operating rights of ASSOCIATED TRANSPORT, INC., THOMAS J. CAHILL, TRUSTEE IN BANKRUPTCY, Eastern & Mooachie Avenues, Carlstadt, N.J. 07072, and for acquisition by C. E. ESTES, 501 South 14th Street, Richmond, VA 23219, of control of such rights through the purchase. Applicants' attorneys: David G. Macdonald, 1000—16th Street, N.W., Washington, D.C. 20036, and Fritz R. Kahn, 1660 L Street, N.W., Washington, D.C. 20036. Operating rights sought to be transferred: *General commodities*, with exceptions as a common carrier over regular routes between New York, N.Y., and Roanoke and Covington, Va., serving all intermediate points, and serving the off-route points of Schuyler, Gordonsville, Orange, Fredericksburg, Manassas, Quantico, Marshall, Purcellville, Alexandria, Goshen, Glasgow, Buena Vista, and Grostoes, Va., Lancaster, New Holland and Coatesville, Pa., Deepwater, Camden, Beverly, and Long Branch, N.J., those in Virginia within 10 miles of the above-specified routes between Roanoke and Lynchburg, Va., and between Lynchburg and the Virginia-District of Columbia boundary line, those in New Jersey within 35 miles of City Hall, New York, N.Y., and those in Nassau County, N.Y., unrestricted; all other points in New Jersey within 35 miles of New York, N.Y., all other points in the New York, N.Y. Commercial Zone, as defined by the Commission off-route points in Pennsylvania within 10 miles of Philadelphia, Pa., all other points within 10 miles of the above-specified route between Philadelphia and New York, and the off-route points in Delaware within 10 miles of the above-specified routes, restricted to traffic moving to or from points in Virginia and south thereof, and those within 5 miles of Baltimore, Md., restricted to traffic moving to or from points south of a 20-mile radius of Richmond, Va.; between Roanoke, Va., and Alexandria Va.; between

Roanoke, Va., and New York, N.Y.; between Roanoke, Va., and Scranton, Pa.; between Norfolk, Va., and State Road, Del., serving intermediate and off-route points within 10 miles of the above-specified routes between Norfolk and the Virginia-Maryland State line, unrestricted; those intermediate points in Maryland, restricted to traffic moving to or from points in Virginia, and south thereof; and those intermediate and off-route points in Delaware within 10 miles of said routes, restricted to traffic moving to or from points in Virginia or south thereof; between junction U.S. Highway 130 and New Jersey Highway 49 and junction Delaware Highway 273 (formerly U.S. Highway 40) and U.S. Highway 13, serving all intermediate points, and serving off-route points within 10 miles of the specified portion of Delaware Highway 273.

Between Bridgeton, N.J., and junction U.S. Highway 130 and U.S. Highway 1, serving all intermediate points, and serving off-route points within 10 miles of said routes; between Trenton, N.J., and junction U.S. Highway 206 and U.S. Highway 130, serving all intermediate points, and serving the off-route points within 10 miles of said route; between Bedford, Pa., and the Middlesex Toll Gate near Middlesex, Pa., for operating convenience only serving no intermediate points; between Washington, D.C., and Gettysburg, Pa., serving all intermediate points, restricted to traffic originating at or destined to points south of Washington, except as otherwise authorized, and with no service to or from Gettysburg; between Roanoke, Va., and New York, N.Y., Roanoke Va., and New York, N.Y., serving intermediate points between Roanoke, Va., and New York, N.Y., restricted to delivery only northbound, and pickup only southbound; between Washington, D.C., and New York, N.Y.; between Lynchburg, Va., and Philadelphia, Pa.; between Baltimore, Md., and New Brunswick, N.J.; between Wilmington, Del., and Penns Grove, N.J.; between Chester, Pa., and Bridgeport, N.J.; between Philadelphia, Pa., and Easton, Pa.; between Baltimore, Md., and Scranton, Pa.; between Amity Hall, Pa., and Sellingsgrove, Pa.; between Kingston, Pa., and Hazleton, Pa.; between Lynchburg, Va. and Cumberland, Md.; serving various intermediate and off-route points in connection with all of the above described routes; the movement of empty trucks is authorized from Shamokin, Pa., over U.S. Highway 122 to Reading, Pa., thence over U.S. Highway 422 to Philadelphia, Pa., for operating convenience only, when such movement is incidental to the transportation of property in connection with said carrier's regular route operations from Philadelphia, Pa.; between Washington, D.C., and junction U.S. Highway 15 and Pennsylvania Highway 94 at York Springs, Pa., serving no intermediate points, and with no service to or from York Springs, Pa.; between Philadelphia, Pa., and Asbury Park, N.J., serving all intermediate points, and serving the off-route points of New Egypt,

Wrightstown, Cassville, Mount Holly, Moores, Allentown, Allenwood, Millhurst, West Freehold, Adelphia, Farmingdale, Glendole, New Bedford, Southard, Bay Head, Seaside Heights, Mantoloking, Lanalette, Island Heights, Ocean Gate, Collingswood, Haddonfield, Merchantville, Pennsauken, Palmyra, Jambesburg, Englishtown, Cranbury, Bordentown, Roebling, Florence, and Beverly, N.J., and points in Pennsylvania within 15 miles of Philadelphia, except Collegeville, Oaks, Perkiomen Junction, and Phoenixville, Pa.

Between Philadelphia, Pa. and Atlantic City, N.J., serving all intermediate points and serving the off-route points of Vineland, Millville, Bridgeton, Paulsboro, Palmyra, Merchantville, Pennsauken, Collingswood, Woodbury, Haddonfield, Wood-Lynne, Clementon, Laurel Springs, Magnolia Tansboro, Atco, Hammonton, Ventnor, Margate City, Longport, Ocean City, Thorofare, Leonards, and Brigantine, N.J.; between South Amboy, N.J., and Asbury Park, N.J., serving all intermediate points, and serving the off-route points of Union Beach, Matzo, Keansbury, Port Monmouth, New Monmouth, Belford, Leonards, Atlantic Highlands, Navesink, Highlands, Navesink, Highlands, Locust, Fairhaven, Rumson, Little Silver, Oceanport, Oakhurst, Neptune, Hamilton, Long Branch, Monmouth Beach, Galilee, Seabright, Wayside, Tinton Falls, Scobeyville, Phalarx, Lincroft, Everett, Ocean Grove, Bradley Beach, and Hiltions, N.J.; between Elizabeth, N.J., and Somerville, N.J., serving all intermediate points, and serving the off-route points of Picton, Goodmans, Avon Park, Potter, Oak Tree, South Plainfield, New Market, South Bound Brook, Lincoln, Finnerne, Manville, Weston, Fast Millstone, Woods Tavern, Royce Valley, Kenilworth and Netherwood, N.J.; between Newark, N.J., and Trenton, N.J., serving all intermediate points, and serving the off-route points of Clyde, Middlebush, Briggstown, Ricky Hill, Harrington, Hillsboro, Blackwell's Mill, Granton, Lenox, Marion, Woodside, Colonia, Iselin, Menlo Park, Stelton, Voorhees and Kingston, N.J.; between Newark, N.J., and Somerville, N.J., serving all intermediate points, and serving the off-route points of Kenilworth, Irvington, Vaux Hall, Maplewood, Millburn, Short Hill, Summit, Chatham, New Providence, Murray Hill, Beverly Heights, Gillette, Stirling, Warrenville, Mount Bethel, and Martinsville, N.J.; between Newark, N.J., and Dover, N.J., serving all intermediate points, and serving the off-route points of South Orange, Floral Park, Madison, Cedar Knolls, Green Village, Pleasantdale, Roseland, Tabor, Derrville, Hockaway, Wharton, Silver Lake, Watessing Avenue junction, and Whippany, N.J.; between Newark, N.J., and Mahawah, N.J., serving all intermediate points, and serving the off-route points of Belleville, Nutley, Avondale, Passaic, Clifton, Wallington, Garfield, Delawanna, Arlington, West Arlington, South Kearny, Oradell, Emerson, Westwood, Hillside, Woodcliff Lake, Park Hidge, Montvale, Upper Sad-

die River, Glen Rock, Midland Park, Wortendyke, Kingsland, Moonachie, Teterboro, Allwood, Fairlawn, Forest Hills, Arcola, and East Newark, N.J.; between Newark, N.J., and Freehold, N.J., serving all intermediate points and serving the off-route points of Nixon, Parlin, Runyan, Cheesecake, Holmdel, Jerseyville, Millhurst, Manalapan, Englishtown, Tracey, Ernston, Sewaren, and Wickatunk, N.J.

Between Newark, N.J., and Butler, N.J., serving all intermediate points, and serving the off-route points of Glen Ridge, Upper Montclair, Great Notch, Little Falls, Caldwell, West Caldwell, Essex, Essex Falls, Pine Brook, North Caldwell, Fairfield, Kinnelon, Pompton Lakes, Oakland, Pompton, Darlington, Franklin Lakes, Lake View, Prospect Park, Centerville, Radburn, Richfield, Watsessing, Albion Place, Bloomfield, Glenridge, and Mountain View, N.J.; between Jersey City, N.J., and Alpine, N.J., serving all intermediate points, and serving the off-route points of Secaucus, Bergenfield, Dumont, Howarth, Closter, Norwood, Northvale, Harrington Park, Grantwood, Soho, Hoboken, West Hoboken, Weekhawken, West Bergen, Union City, Aldene, West New York, New Durham, Guttenburg, Hudson Heights, Cliffside, Edgewater, Palisades Park, Ridgefield Park, Coytesville, Engelwood, Babbitt, and Creskill, N.J.; between New York, N.Y., and Philadelphia, Pa., serving all intermediate points, and serving the off-route points of Grasselli, Tremley, Tremley Point, Carteret, Warners, Chrome, Port Reading, Sewaren, Maurer, Fords, Boonhamton, Millville, Greensand, South River, Old Bridge, Spotswood, Helmetta, Jamesburg, Deans, Dayton, Hoffman, Prospect Plain, Cranbury, Hightstown, Plainsboro, Lawrence, Edinburg, Dutch Neck, Windsor, Robbinsville, Piscataway, Hamilton Square, Mercerville, Bayonne, Bayway, Port Newark, Alton, Fort Mercer, Ampere, Bergen Point, Boynton Beach, Brookdale, Communipaw, Elizabethport, Avenal, and Mulltown, N.J., all points in Pennsylvania within 15 miles of Philadelphia except Collegeville, Oaks, Perkiomen junction, and Phoenixville, Pa., and those in the New York, N.Y., Commercial Zone, as defined by the Commission; between New York, N.Y., and Somerville, N.J., serving all intermediate points, and serving the off-route points of Palisades, Little Ferry, West Englewood, New Bridge, Riverside, New Milford, Fairhaven, Hawthorne, Haledon, North Haledon, Fox Hill, New Vernon, South Paterson, Basking Ridge, Lyons, Millington, Liberty Corner, Mandham, North Patterson, Leonia, Warren Point, Bogota, and Dundee, N.J., and those in the New York, N.Y., Commercial zone, as defined by the Commission; between Sunbury, Pa., and Philadelphia, Pa., serving no intermediate points.

Between Waynesboro, Va., and junction Virginia Highway 12 and U.S. Highway 11; service is not authorized to or from the intermediate points; between Strasburg, Va., and Gainesville, Va.; service is not authorized to or from the ter-

mini or intermediate points, except as otherwise authorized; between junction U.S. Highway 11 and U.S. Highway 220, North of Roanoke, Va., and Clifton Forge, Va.; service is not authorized to or from the terminal or intermediate points except as otherwise authorized; serving the facilities of PPG Industries, Inc., near Mt. Holly Springs (Cumberland County), Pa., as an off-route point in connection with carrier's authorized regular route operations; serving the facilities of the Western Electric Company, Incorporated at or near Martinsburg, W. Va., as an off-route point in connection with carrier's presently authorized regular-route operations via Hagerstown, Md., and Winchester, Va.; between Winchester, Va., and Baltimore, Md., as an alternate route for operating convenience only, in connection with carrier's regular route operation, serving no intermediate points; between Baltimore, Md., and junction Delaware Highway 404 and U.S. Highway 13 near Bridgeville, Del., as an alternate route for operating convenience only in connection with carrier's regular route operations, serving no intermediate points, with restrictions; Vendee is authorized to operate as a common carrier in Connecticut, Delaware, the District of Columbia, Georgia, Illinois, Kentucky, Maine, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12943. Authority sought for purchase by J. B. HUNT TRANSPORT, INC. P.O. Box 200, Highway 71 North, Lowell, Arkansas, 72745, of the operating rights of BREDEHOEFT PRODUCE COMPANY, INC., P.O. Box 7, Decatur, Arkansas, 72722, and for acquisition by THE J. B. HUNT COMPANY, P.O. Box 200, Lowell, Arkansas, 72745, of control of such rights through the purchase. Applicants' representative: Ralph B. Harlan, 204 Highway 71 North Suite 3, Springdale, Arkansas, 72764. Operating rights sought to be transferred: Empty cans and closures therefor, as a common carrier over irregular routes from Arlington and Houston, Tex., and New Orleans and Harvey, La., to Siloam Springs, Ark.; raw sugar, in bags from New Orleans, La., to Siloam Springs, Ark.; canned goods and dog food, from the plant sites of Allen Canning Company located at Gentry, Ark., at Siloam Springs, Ark., at a point approximately 10 miles east of Siloam Springs, Ark., at Kansas, Okla., and at Proctor, Okla., to points in California, Kansas, (except Kansas City and points within its commercial zone as defined by the Commission), Kentucky, Louisiana, Maryland, Ohio, Oregon, Pennsylvania, Texas, Virginia, Washington and West Virginia, with restrictions; canned goods and dog food, from the plant sites of Allen Canning Company located at Gentry, Ark., Siloam Springs, Ark., a point approximately 10 miles east

of Siloam Springs, Ark., Kansas, Okla., and Proctor, Okla., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee (except Memphis and points within its commercial zone as defined by the Commission); foodstuffs, vinegar, alcohol and ammonia (except commodities in bulk), from Rogers, Ark., to points in the United States (except Alaska and Hawaii), with restrictions; glass and plastic containers, including closures and corrugated paper cartons therefor, from Jackson, Miss., New Orleans, La., Palestine, Tex., and Okmulgee, San Springs, Ada, and Muskogee, Okla., to Rogers, Ark., with restrictions; sugar (except liquid, in bulk, in tank vehicles), from Supreme, La., to Rogers, Ark.; fertilizer, from Selma, Mo., to Rogers, Ark.; feed ingredients, from the plant site of Occidental Chemical Company located near White Springs, Fla., to points in Arkansas and Missouri; citrus products and tomato juice, (except in bulk), from Weslaco, Tex., to points in Arkansas, Illinois, Iowa, Kansas, Minnesota, Missouri, Oklahoma, and Wisconsin, with restrictions. Vendee is authorized to operate as a common carrier in all the States in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a(b).

No. MC-F-12944. Authority sought for purchase by CASE HEAVY HAULING, INC., 3893 Market Street, N.E., Warren, OH 44484, of the operating rights and property of CASE DRIVEWAY, INC., 100 22nd Street, Huntington, W.Va. 25714, and for acquisition by ORIN S. NEIMAN, 3893 Market Street, N.E., Warren, OH 44484, of control of such rights through the purchase. Applicants attorneys: Paul F. Berry, 8 East Broad Street, Columbus, OH 43215, John Freidman, 2930 Putnam Avenue, Hurricane, W.Va. 25556, and Robert Frazier, P.O. Box 1004, Huntington, W.Va. 25701. Operating rights sought to be transferred: Automobiles, trucks, bodies, cabs, chassis and unfinished automobiles, as a common carrier over irregular routes between points in Wayne County and Warren Township (Macomb County), Mich., New automobiles, new trucks, new bodies, new cabs, new chassis, and unfinished automobiles, in initial movements, in truckaway and driveway service, from places of manufacture and assembly in Wayne County, Mich., and Toledo, Ohio to Ashland, Louisiana, Paintsville, and Pikeville, Ky.; Richmond and Knightstown, Ind.; and Lima, Piqua, and Elyria, Ohio; points in Meigs, Gallia, Lawrence, Washington, and Scioto Counties, Ohio, Cabell, Putnam, Kanawha, Fayette, Greenbrier, Monroe, Summers, Raleigh, Mercer, McDowell, Wyoming, Logan, Boone, Mingo, Wayne, Lincoln, Mason, Jackson, Wood, Ritchie, Roane, Webster, and Nicholas Counties, W.Va., points in that part of Virginia west of U.S. Highway 220 and south of U.S. Highway 60; and points in North Carolina and South Carolina; and from places of manufacture in Willow Run (Washtenaw County, Mich., to Ashland, Louisa, Paintsville and Pikeville,

Ky.; Richmond and Knightstown, Ind.; Lima, Piqua, and Elyria, Ohio; points in Meigs, Gallia, Lawrence, Washington, and Scioto Counties, Ohio; points in Cabell, Putnam, Kanawha, Fayette, Greenbrier, Monroe, Summers, Raleigh, Mercer, McDowell, Wyoming, Logan, Boone, Mingo, Wayne, Lincoln, Mason, Jackson, Wood, Ritchie, Roane, Webster, and Nicholas Counties, W. Va.; points in that part of Virginia west of U.S. Highway 220 and south of U.S. Highway 60, including points on indicated portions of the highways specified, and points in North Carolina and South Carolina, and Returned or rejected shipments of the above-specified commodities, from the immediately above-specified destination points to Willow Run (Washtenaw County), Mich.

Automobiles, trucks, bodies, cabs, and chassis, new, used, unfinished, and/or wrecked in secondary movement, in truckaway and driveway service, between points in Wayne County, Mich.; Ashland, Louisa, Paintsville, and Pikeville, Ky.; Richmond and Knightstown, Ind.; Toledo, Lima, Piqua, Elyria, Cincinnati, Dayton, Springfield, Xenia, and Columbus, Ohio; points in Meigs, Gallia, Lawrence, Washington, and Scioto Counties, Ohio; Cabell, Putnam, Kanawha, Fayette, Greenbrier, Monroe, Summers, Raleigh, Mercer, McDowell, Wyoming, Logan, Boone, Mingo, Wayne, Lincoln, Mason, Jackson, Wood, Ritchie, Roane, Webster, and Nicholas Counties, W. Va.; points in that part of Virginia west of U.S. Highway 220 and south of U.S. Highway 60; and points in North Carolina and South Carolina. *Wrecked and disabled motor equipment*, between points in West Virginia, Ohio, and points in that part of Kentucky on and east of U.S. Highway 27. *Acetylene*, between Fairchance, Pa., Huntington and Nemours, W. Va., Falls Mills, Va., and points within 10 miles of each. *Commodities* which because of size or weight require the use of special equipment, between points in West Virginia, Virginia, Ohio, Kentucky, and points in that part of Pennsylvania west of U.S. Highway 15; *Such bulk commodities* as are transported in dump truck, and *building materials*, between points in Gallia, Lawrence, and Scioto Counties, Ohio; Boyd, Carter, Greenup, Lawrence, Johnson, Floyd, Martin, and Pike Counties, Ky.; and points in that part of West Virginia west of U.S. Highway 21; *Agricultural machinery and agricultural implements* as defined in appendix XII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and *component parts thereof* when moving therewith; tractors, other than farm and truck tractors, and *mowers, graders, shovels, loaders and attachments and component parts thereof*, when moving therewith, from Racine, Wis., Bettendorf and Burlington, Iowa, Rockford and Rock Island, Ill., to points in Ohio, and to those in Barbour, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Gilmer, Hancock, Harrison, Jackson, Kanawha, Lewis, Lincoln, Logan,

Marion, Marshall, Mason, Mingo, Monongalia, Ohio, Pleasants, Preston, Putnam, Ritchie, Roane, Taylor, Tyler, Upshur, Wayne, Wetzel, Wirt and Wood Counties, W. Va., with no transportation for compensation on return except as otherwise authorized; *Mine and pit cars*, from Huntington, W. Va., to points in Alabama, Kentucky, and Virginia, with no transportation for compensation on return except as otherwise authorized.

Iron and steel articles as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, except reinforcing steel, from Huntington, W. Va., to points in Kentucky with no transportation for compensation on return except as otherwise authorized; *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in Gallia, Lawrence and Scioto Counties, Ohio, and points in Boyd, Carter, Greenup, Lawrence, Johnson, Floyd, Martin, and Pike Counties, Ky., and those in that part of West Virginia west of U.S. Highway 21; *Iron and steel and iron and steel articles* as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209; from points in Cabell and Wayne Counties, W. Va., to points in Arkansas, Oklahoma, and Missouri (except St. Louis and points in Missouri within the St. Louis commercial zone, as defined by the Commission), with no transportation for compensation on return except as otherwise authorized, from Huntington, W. Va., to points in Iowa, Maine, New Hampshire, Vermont, Kansas, South Dakota, and Wisconsin, with no transportation for compensation on return except as otherwise authorized; *Iron and steel and iron and steel articles* as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Huntington, W. Va., to ports of entry on the United States-Canada Boundary line at or near Sweetgrass, Mont., International Falls, Minn., Port Huron and Detroit, Mich., and Niagara Falls and Alexandria Bay, N.Y., with no transportation for compensation on return except as otherwise authorized; *Mining machinery and parts thereof*, from Charleroi, Pa., to the ports of entry on the United States-Canada Boundary line at or near Port Huron and Detroit, Mich., and Niagara Falls and Alexandria Bay, N.Y., with no transportation for compensation on return except as otherwise authorized.

Iron and steel articles as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Huntington, W. Va., to points in Arizona, California, Colorado, Minnesota, Montana, Nevada, New Mexico, Oregon, and Wyoming, with no transportation for compensation on return except as otherwise authorized; *Iron and steel and iron and steel articles*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, (except those commodities which, because of size or weight, require special

equipment and except those articles of iron and steel which are building materials), from Huntington, W. Va., to Atlanta, Brunswick, and Woodline, Ga., and points in Alabama, Florida, Louisiana, Texas, and Mississippi (except Tupelo and points on U.S. Highway 45 between the Mississippi-Tennessee State line and Tupelo and except Corinth and points on U.S. Highway 72 between the Mississippi-Alabama State line and Corinth) with no transportation for compensation on return except as otherwise authorized; *Iron and steel, and iron and steel articles* as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except those which because of their size or weight require special equipment and except those commodities which are building materials), from Huntington, W. Va., to points in Michigan north of Michigan Highway 21, with no transportation for compensation on return except as otherwise authorized; *Iron and steel and iron and steel articles*, from Parkersburg, W. Va., to points in Connecticut, Florida, Massachusetts, New Hampshire, New York, Rhode Island, and Texas, and those points in New Jersey in that part of the New York, N.Y., commercial zone, as defined in the fifth supplemental report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted under the exemption provided by Section 203(b) (8) of the Interstate Commerce Act (the exempt zone), with no transportation for compensation on return except as otherwise authorized; *Electrical underfloor distribution systems and parts thereof, and prefabricated metal buildings and parts thereof*, except trailers designed to be drawn by passenger automobiles, and buildings, in sections, mounted on wheeled undercarriages with hitch-ball connector, from Parkersburg, W. Va., to points in Arizona, California, Colorado, Idaho, Kansas, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, with no transportation for compensation on return except as otherwise authorized.

Mining and tunneling machinery, and mining and tunneling machinery parts, between points in Boyd County Ky., on the one hand, and, on the other, points in Alabama, Arizona, Colorado, Idaho, Illinois, Michigan, Missouri, Montana, Nevada, New Jersey, New Mexico, New York, Ohio, Pennsylvania, Texas, Utah, Virginia, West Virginia, Wisconsin, and Wyoming; *Iron and steel articles*, from Huntington, W. Va., to points in Connecticut, Idaho, North Dakota, South Carolina, Tennessee, Utah, and Washington, with no transportation for compensation on return except as otherwise authorized. *Expansion bolts, expansion bolt shields, anchors, and plates*, incidental to, and used in connection with mining operations, from Pittsburgh and Johnstown, Pa., and Cleveland, Ohio, to points in that part of West Virginia on and south of U.S. Highway 60 extending through Huntington, Charleston, and

White Sulphur Springs, W. Va.; points in Buchanan, Dickenson, Lee and Wise Counties, Va.; and those in that part of Kentucky on and east of a line beginning at the Kentucky-Tennessee State line and extending along U.S. Highway 25W to Corbin, Ky., thence along U.S. Highway 25 through Lexington, Ky., to Erlanger, Ky., and thence north along a straight line through Constance, Ky., to the Kentucky-Ohio State line, with no transportation for compensation on return except as otherwise authorized, with restrictions. Vendee is authorized to operate as a common carrier in Ohio, West Virginia, Pennsylvania, Virginia, Maryland, District of Columbia, New York, Connecticut, Illinois, Indiana, Massachusetts, Michigan, Delaware, Kentucky, Maine, New Hampshire, Tennessee, Vermont, Rhode Island, Alabama, Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming. Application has been filed for temporary authority under Section 210a(b).

No. MC-F-12945. Authority sought for purchase by BOWMAN TRANSPORTATION, INC., P.O. Box 17744 (Cedar Grove Road), Atlanta, GA., 30316, of the operating rights and property of BRINGWALD TRANSFER, INC., P.O. Box 685, 2820 Decker Road, Vincennes, IN., 47591, and for acquisition by RALPH M. BOWMAN, P.O. Box 17744, Atlanta, GA., 30316, of control of such rights and properties through the purchase. Applicants' attorney: Charles Ephraim, Suite 600, 1250 Connecticut Ave., N.W., Washington, D.C., 20036, and A. Charles Tell, Suite 1800, 100 East Broad St., Columbus, OH., 43215. Operating rights sought to be transferred: *Fresh fruits and vegetables*, in truckloads, as a common carrier over irregular routes from Vincennes, Ind., and points within 60 miles of Vincennes, to Louisville, Ky., St. Louis, Mo., points in Illinois, and those in that part of Ohio on, and south of U.S. Highway 40, from the Indiana-Ohio state line to Columbus, and on and west of Ohio Highway 3, from Columbus to Cincinnati; general commodities, with exceptions, between Vincennes, Evansville, Bedford, New Albany, Princeton, Shoals, Sullivan, Jasper, and Terre Haute, Ind., on the one hand, and, on the other, Henderson and Louisville, Ky., St. Louis, Mo., Cincinnati, Ohio, and points in Illinois; between the facilities of Anaconda Aluminum Company, located at or near Seabee, Ky., on the one hand, and, on the other, points in Illinois, Indiana, and Ohio, and St. Louis, Mo., with restriction; *carnival equipment and supplies*, in truckloads, between points in Indiana and Illinois; *household goods*, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, in truckloads, between points in Knox County, Indiana, on the one hand, and, on the other, St. Louis, Mo., Hen-

derson and Louisville, Ky., and points in Illinois and Ohio; *paper products*, in less-than-truckload shipments, from Vincennes, Ind., to Henderson and Louisville, Ky., and to St. Louis, Mo., from Vincennes, Ind., to Cincinnati, Ohio and all points in Illinois; *damaged, refused, or rejected shipments of paper products*, from Henderson and Louisville, Ky., and from St. Louis, Mo., to Vincennes, Indiana; *petroleum products*, in containers, from Wood River, Ill., to Bicknell, Bloomington, Jasonville, Linton, Oakland City, and Washington, Ind.; empty containers, for petroleum products, from the above-specified destination points to Wood River, Ill.; *waste paper*, in bales, from Columbus and Dayton, Ohio, to Terre Haute, Ind.; *paper products*, in truckload shipments only, from Terre Haute, Ind., to Columbus and Dayton, Ohio; *roll paper*, (jute liner), from St. Marys, Ohio, to Vincennes and Terre Haute, Ind.

Scrap paper, from Vincennes, Terre Haute and Indianapolis, Ind., to St. Marys, Ohio, return with no transportation for compensation except as otherwise authorized; *used empty containers and pallets*, between Vincennes, Evansville, Bedford, New Albany, Princeton, Shoals, Sullivan, Jasper, and Terre Haute, Ind., on the one hand, and, on the other, Henderson, Louisville and Owensboro, Ky., St. Louis, Mo., Cincinnati, Columbus, Dayton and St. Marys, Ohio, and points in Illinois; *paper products*, from Terre Haute, Ind., to St. Marys and Napoleon, Ohio; *strawboard*, from Miamisburg, Ohio and Chicago and Mt. Carmel, Ill. to Vincennes, Ind.; *scrap paper*, from Evansville, Ind., to Mt. Carmel, Ill., from St. Louis, Mo., Miamisburg, Ohio, Louisville and Murray, Ky., Chicago, Ill., and Memphis and Nashville, Tenn., to Vincennes, Ind.; *lumber*, from Memphis, Tenn., to Vincennes, Ind.; *sulfate of Aluminum*, from East St. Louis, Ill., to Vincennes, Ind.; *empty Rosin drums*, from Vincennes, Ind., to Kalamazoo, Mich.; *rosin and rosin sizing*, in drums, from Kalamazoo, Mich., to Vincennes, Ind.; *strawboard, corrugated paper, chipboard and fillers*, from Vincennes, Ind., to St. Louis, Mo., and points and places in Ohio south and west of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 30 to Delphos, Ohio, thence along U.S. Highway 308 to Kenton, Ohio, thence along U.S. Highway 68 to Xenia, Ohio, and thence along U.S. Highway 42 to Cincinnati, Ohio, those in that part of Kentucky west of U.S. Highway 25 and U.S. Highway 25E, those in that part of Michigan south of U.S. Highway 16, those in that part of Illinois east of a line beginning at the Illinois-Wisconsin State line and extending south along U.S. Highway 51 to El Paso, Ill., thence south of a line extending from El Paso along U.S. Highway 24 to the Mississippi River, and those in Tennessee, including the points named and those on the indicated portions of the highways specified, return with no transportation for compensation except as otherwise authorized to

the above-specified origin points; *such commodities as are dealt in by junk and salvage companies*, from Vincennes, Ind., to Chicago and East St. Louis, Ill., Louisville, Ky., and St. Louis, Mo., return with no transportation for compensation except as otherwise authorized, to the above-specified origin point; *paper* (new, old, scrap and waste), and *such commodities as are dealt in by junk and salvage dealers*, from Cincinnati, Ohio, to Vincennes, Ind., return with no transportation for compensation except as otherwise authorized to the above specified origin points; *fiberboard and materials and supplies used in packaging eggs*, from Vincennes, Ind., to St. Louis, Mo., points and places in Ohio west and south of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 30 to Delphos, Ohio, thence along U.S. Highway 308 to Kenton, Ohio, thence along U.S. Highway 68 to Xenia, Ohio, and thence along U.S. Highway 42 to Cincinnati, Ohio, points and places in Kentucky on and west of U.S. Highways 25 and 25E, points and places in Michigan on and south of U.S. Highway 16, points and places in Illinois south and east of a line beginning at the Illinois-Wisconsin State line and extending along U.S. Highway 51 to El Paso, Ill., and thence along U.S. Highway 24 to the Mississippi River, and points and places in Tennessee, including points on the highways named.

Scrap paper, from the destination territory described above to Vincennes, Ind.; *fiberboard*, from Quincy, Ill., to Vincennes, Ind.; *lumber*, from Grayville and Karnak, Ill., to Vincennes, Ind.; *sizing*, from East St. Louis, Ill., St. Louis and Maplewood, Mo., to Vincennes, Ind.; *skids*, from St. Louis, Mo., and points in Ohio south and west of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 30 to Delphos, Ohio, thence along U.S. Highway 308 to Kenton, Ohio, thence along U.S. Highway 68 to Xenia, Ohio, and thence along U.S. Highway 42 to Cincinnati, Ohio, points in Kentucky west of a line extending along U.S. Highway 25 from Covington to Corbin, Ky., thence along U.S. Highway 25E to the Kentucky-Tennessee State line, points in Michigan south of U.S. Highway 16, points in Illinois east and south of a line beginning at the Illinois-Wisconsin State line and extending along U.S. Highway 51 to El Paso, Ill., thence along U.S. Highway 24 to the Mississippi River, near Quincy, Ill., and points in Tennessee, including points on the indicated portions of the highways described, to Vincennes, Ind., return with no transportation for compensation except as otherwise authorized; *paper and paper products*, from the plant sites of the Packaging Corporation of America and the Vincennes Paper Mill, Inc., at Vincennes, Indiana, to points in Missouri; and *scrap paper*, from points in Missouri to the plant sites of the Packaging Corporation of America and the Vincennes Paper Mill, Inc., at Vincennes, Indiana, with restrictions; *steel wire*, from Alton, Ill., to Washington,

Ind., with no transportation for compensation on return except as otherwise authorized, with restrictions. Vendee is authorized to operate as a common carrier in Alabama, Arkansas, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Texas, Virginia, Maryland, Massachusetts, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, and West Virginia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12948. Authority sought for purchase by J. V. McNICHOLAS TRANSPORT CO., 555 West Federal Street, Youngstown, OH., 44501, of a portion of the operating rights of ASSOCIATED TRANSPORT, INC., THOMAS J. CAHILL, TRUSTEE IN BANKRUPTCY, c/o Arthur S. Olick, 39th Floor, 630 Fifth Avenue, New York, N.Y., 10020, and for acquisition by HENRY McNICHOLAS, 1374 Virginia Trail, Youngstown, OH., 44505, of control of such rights through the purchase. Applicants' attorneys: Paul F. Beery, L. P. A., 8 E. Broad Street, 9th Floor, Columbus, OH., 43215, and Fritz R. Kahn, Suite 1100, 1660 L St., N.W., Washington, D.C. 20036. Operating rights sought to be transferred: General commodities with exceptions as a common carrier over regular routes between Chicago, Ill., and Toledo, Ohio, serving all intermediate points (except those points between Toledo and the Ohio-Indiana State line), and serving the off-route point of Rossford, Ohio, and the off-route points within 10 miles of Angola, Ind., with restrictions; alternate routes for operating convenience only: General commodities, with exceptions between junction U.S. Highway 20 and Indiana Highway 2, and South Bend, Ind., serving no intermediate points; between South Bend, Ind., and Elkhart, Ind., serving no intermediate points; between junction U.S. Highway 20 and U.S. Truck Route 20, west of Elkhart, Ind., and junction U.S. Truck Route 20 and U.S. Highway 20 east of Elkhart, Ind., serving no intermediate points; between Hammond, Ind., and junction U.S. Highway 20 and Indiana Highway 2, near Rolling Prairie, Ind., in connection with carrier's regular route operations between Chicago, Ill., and Toledo, Ohio, serving no intermediate points. Vendee is authorized to operate as a common carrier in Ohio, Pennsylvania, New York, West Virginia, Delaware, Indiana, Kentucky, Maryland, Missouri, Connecticut, Massachusetts, New Jersey, Rhode Island, Virginia, Wisconsin, the District of Columbia, Illinois, Maine, New Hampshire, Vermont, Iowa, Minnesota, Michigan, and as a contract carrier in Ohio, Connecticut, Delaware, New Jersey, Illinois, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New York, Pennsylvania, Tennessee, West Virginia, the District of Columbia, and Indiana. Application has been filed for temporary authority under section 210a(b).

NOTE.—MC-14552 (Sub-No. 62) is a directly related matter.

No. MC-F-12950. Authority sought for purchase by LIME, INC. (non-carrier), 10111 Mercier, Dearborn, MI., 48120, of a portion of the operating rights and property of C & K TRANSPORT, INCORPORATED, P.O. Box 220, New Buffalo, MI., 49117, and for acquisition by LEON WEISS, BERNARD WEISS, CHESTER MAGNUS, Box 7, Mongo, IN., 46771, and FARRIS ELGEE, 1011 Mercier, Dearborn, MI., 48120, of control of such rights and properties through the purchase. Applicants' attorneys: James R. Stiverson, 1396 West Fifth Avenue, Columbus, OH., 43212, and Leonard D. Verrier, Jr., One Vandenberg Center, Grand Rapids, MI., 49502. Operating rights sought to be transferred: Lime and Limestone products, as a contract carrier over irregular routes from River Rouge, Mich., to points in Indiana, Illinois, Iowa, Kentucky, Ohio, Missouri, New York, Pennsylvania, Wisconsin and West Virginia, with no transportation for compensation on return except as otherwise authorized, with restrictions. LIME INC., holds no authority from this Commission. However, it is affiliated with WEISS TRUCKING COMPANY, INC., who under MC-94430 and subs thereunder is authorized to operate as a common carrier in Delaware, the District of Columbia, Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and Wisconsin. Application has been filed for temporary authority under section 210a(b).

SEABOARD COAST LINE RAILROAD COMPANY, 500 Water Street, Jacksonville, Florida 32202, represented by Philip C. Beverly, Esquire, Edward A. Charron, Esquire, Neill W. McArthur, Jr., Esquire, and W. C. Basney, Esquire, Seaboard Coast Line Railroad Company, 500 Water Street, Jacksonville, Florida 32202 hereby give notice that on the 6th day of August, 1976, it filed with the Interstate Commerce Commission at Washington, D.C., an application under Section 5(2) of the Interstate Commerce Act for an order approving and authorizing the trackage rights over a line of railroad of the Norfolk and Southern Railway in Pitt and Beaufort Counties, North Carolina, which application is assigned Finance Docket No. 28252.

Approval of this application will permit Seaboard Coast Line Railroad Company to acquire trackage rights over Norfolk Southern to serve the phosphate mines and plants between Greenville and Lee Creek in Pitt and Beaufort Counties, North Carolina, reached by Norfolk Southern's Lee Creek Branch. The trackage rights will extend from Greenville, North Carolina, to Lee Creek, North Carolina, a distance of 50.7 miles.

In the opinion of the applicant, the granting of the authority sought will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act

of 1969. In accordance with the Commission's regulations (49 C.F.R. 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation—Nat'l Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), *supra*, Part (b) (1)–(5), 340 I.C.C. 431, 461.

Pursuant to the provisions of the Interstate Commerce Act, as amended, the proceeding will be handled without public hearings unless comments in support or opposition on such application are filed with the Secretary, Interstate Commerce Commission, 12th and Constitution Avenue, N.W., Washington, D.C. 20423, and the aforementioned counsel for applicant, within 45 days after date of first publication in the FEDERAL REGISTER; that such comments shall be served upon (a) Mr. William T. Coleman, Jr., Secretary, Department of Transportation, 400 7th Street, S.W., Washington, D.C. 20590, (b) Mr. Edward H. Levi, Attorney General, Department of Justice, 10th and Constitution Avenue, N.W., Washington, D.C. 20530, and certificate of all such service is given to the Interstate Commerce Commission; and that all other applications, which are inconsistent, in whole or in part, with such applications, and all petitions for inclusion in the transaction, shall be filed with the Commission and furnished to the Secretary of Transportation, within 90 days after the publication of notice of the application in the FEDERAL REGISTER.

SEABOARD COAST LINE RAILROAD CO.

NOTICE

NEW YORK DOCK RAILWAY, 334 Furman Street, Brooklyn, New York 11201, represented by Walter M. King, Jr., Esquire, 1611 Connecticut Avenue, N.W., Washington, D.C. 20009 hereby give notice that on the 3rd day of August, 1976, it filed with the Interstate Commerce Commission at Washington, D.C., an application under Section 5(2) of the Interstate Commerce Act for an order approving and authorizing New York Dock Railway (NYD) to acquire control of Brooklyn Eastern District Terminal (BEDT) through ownership of stock, which application is assigned Finance Docket No. 28250.

Approval of the application will permit the New York Dock Railway to acquire control of Brooklyn Eastern District Terminal by the purchase of 50% of the outstanding stock of BEDT. Both New York Dock Railway and Brooklyn Eastern District Terminal are terminal carriers operating in and about the Port of New York providing rail service by carfloat connection from Greenville, New Jersey and St. George, Staten Island, New York, to various terminals of New York Dock Railway and Brooklyn Eastern District Terminal in Brooklyn, New York.

In the opinion of the applicant, the granting of the authority sought will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969. In accordance with the Commission's regulations (49 C.F.R. 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation—Nat'l Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), *supra*, Part (b) (1)–(5), 340 I.C.C. 431, 461.

Pursuant to the provisions of the Interstate Commerce Act, as amended, the proceeding will be handled without public hearings unless comments in support or opposition on such application are filed with the Secretary, Interstate Commerce Commission, 12th and Constitution Avenue, NW., Washington, D.C. 20423, and the aforementioned counsel for applicant, within 45 days after date of first publication in the FEDERAL REGISTER; that such comments shall be served upon (a) Mr. William T. Coleman, Jr., Secretary, Department of Transportation, 400 7th Street, SW., Washington, D.C. 20590, (b) Mr. Edward H. Levi, Attorney General, Department of Justice, 10th and Constitution Avenue, NW., Washington, D.C. 20530, and certificate of all such service is given to the Interstate Commerce Commission; and that all other applications, which are inconsistent, in whole or in part, with such applications, and all petitions for inclusion in the transaction, shall be filed with the Commission and furnished to the Secretary of Transportation, within 90 days after the publication of notice of the application in the FEDERAL REGISTER.

NEW YORK DOCK RAILWAY

NOTICE

MENDOCINO COAST RAILWAY, INC., Room 205, World Trade Center, San Francisco, California 94111, represented by Mr. John R. Sims, Jr., and Mr. John L. Boyd, Jr., 915 Pennsylvania Building, 425 13th Street, N.W., Washington, D.C. 20004 hereby give notice that on the 17th day of August, 1976, it filed with the Interstate Commerce Commission at Washington, D.C., an application under Section 5(2) of the Interstate Commerce Act for an order approving and authorizing Mendocino Coast Railway, Inc. to lease the operating properties of California Western Railroad, including rail trackage, between Ft. Bragg and Willets, California, a distance of some 35 miles, which application is assigned Finance Docket No. 28256.

Approval of the application will permit Mendocino Coast Railway, Inc. to lease and operate the operating prop-

erties of California Western Railroad, including rail trackage, between Ft. Bragg and Willets, California, for a period of 18 months with option in the parties to renew for an additional period of 4 years.

In the opinion to the applicant, the granting of the authority sought will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969. In accordance with the Commission's regulations (49 C.F.R. 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation—Nat'l Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), *supra*, Part (b) (1)–(5), 340 I.C.C. 431, 461.

Pursuant to the provisions of the Interstate Commerce Act, as amended, the proceeding will be handled without public hearings unless comments in support or opposition on such application are filed with the Secretary, Interstate Commerce Commission, 12th and Constitution Avenue, NW., Washington, D.C. 20423, and the aforementioned counsel for applicant, within 45 days after date of first publication in the FEDERAL REGISTER; that such comments shall be served upon (a) Mr. William T. Coleman, Jr., Secretary, Department of Transportation, 400 7th Street, SW., Washington, D.C. 20590, (b) Mr. Edward H. Levi, Attorney General, Department of Justice, 10th and Constitution Avenue, NW., Washington, D.C. 20530, and certificate of all such service is given to the Interstate Commerce Commission; and that all other applications, which are inconsistent, in whole or in part, with such applications, and all petitions for inclusion in the transaction, shall be filed with the Commission and furnished to the Secretary of Transportation, within 90 days after the publication of notice of the application in the FEDERAL REGISTER.

MENDOCINO COAST RAILWAY

NOTICE

THE CHESAPEAKE AND OHIO RAILWAY COMPANY, Terminal Tower, Cleveland, Ohio 44101, represented by Mr. René J. Gunning, General Attorney, The Chesapeake and Ohio Railway Company, 2 North Charles Street, Baltimore, Maryland 21201 hereby give notice that on the 12th day of August, 1976, it filed with the Interstate Commerce Commission at Washington, D.C., an application under Section 5(2) of the Interstate Commerce Act for an order approving and authorizing the C&O to lease and operate a portion of the Elk Branch of The Baltimore and Ohio Railroad Company, which application is assigned Finance Docket No. 28255.

Approval of the application will permit The Chesapeake and Ohio Railway Company to lease and operate that portion of the Elk Branch of The Baltimore and Ohio Railroad Company between Valuation Station 8249+00, at or near Clendenin, West Virginia, and Valuation Station 9204+52, at or near Charleston, West Virginia, a total distance of approximately 18.1 miles, all in Kanawha County, West Virginia. This agreement will become effective upon granting of this application and the issuance of a certificate and order permitting the abandonment by the applicant of its Elk Branch between Valuation Station 6731+00, at or near Hartland, West Virginia, and Valuation Station 8249+00, at or near Clendenin, West Virginia, a distance of approximately 28.75 miles, all in Clay and Kanawha Counties, West Virginia, which application is assigned Docket No. AB-19 (Sub-No. 24).

In the opinion of the applicant, the granting of the authority sought will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969. In accordance with the Commission's regulations (49 C.F.R. 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation—Nat'l Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), *supra*, Part (b) (1)–(5), 340 I.C.C. 431, 461.

Pursuant to the provisions of the Interstate Commerce Act, as amended, the proceeding will be handled without public hearings unless comments in support or opposition on such application are filed with the Secretary, Interstate Commerce Commission, 12th and Constitution Avenue, NW., Washington, D.C. 20423, and the aforementioned counsel for applicant, within 45 days after date of first publication in the FEDERAL REGISTER; that such comments shall be served upon (a) Mr. William T. Coleman, Jr., Secretary, Department of Transportation, 400 7th Street, SW., Washington, D.C. 20590, (b) Mr. Edward H. Levi, Attorney General, Department of Justice, 10th and Constitution Avenue, NW., Washington, D.C. 20530, and certificate of all such service is given to the Interstate Commerce Commission; and that all other applications, which are inconsistent, in whole or in part, with such applications, and all petitions for inclusion in the transaction, shall be filed with the Commission and furnished to the Secretary of Transportation, within 90 days after the publication of notice of the application in the FEDERAL REGISTER.

THE CHESAPEAKE AND OHIO RAILWAY
COMPANY

ABANDONMENT APPLICATIONS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act that orders have been entered in the following abandonment applications which are administratively final and which found that subject to conditions the present and future public convenience and necessity permit abandonment.

A Certificate of Abandonment will be issued to the applicant carriers 30 days after this FEDERAL REGISTER publication unless the instructions set forth in the notices are followed.

[Docket No. AB-43 (Sub-No. 12)]

ILLINOIS CENTRAL GULF RAILROAD COMPANY ABANDONMENT BETWEEN SILVER CITY AND HOLLY BLUFFS IN HUMPHREYS AND YAZOO COUNTIES, MISSISSIPPI

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on July 14, 1976, a finding, which is administratively final, was made by the Commission, Commissioner Brown, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment*, 257 I.C.C. 700, the present and future public convenience and necessity permit the abandonment by the Illinois Central Gulf Railroad Company of its line of railroad extending from railroad milepost 163.22 at Silver City, Mississippi, in a southwesterly direction to the end of the line at milepost 187.95 at Holly Bluffs, Mississippi, a distance of approximately 24.73 miles, in Humphreys and Yazoo Counties, Mississippi. A certificate of abandonment will be issued to the Illinois Central Gulf Railroad Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) a financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) it is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line

and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-43 (Sub-No. 14)]

ILLINOIS CENTRAL GULF RAILROAD COMPANY ABANDONMENT BETWEEN STEWARTSVILLE AND NEW HARMONY, IN POSEY COUNTY, INDIANA

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on July 14, 1976, a finding, which is administratively final, was made by the Commission, Commissioner Brown, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment*, 257 I.C.C. 700, the present and future public convenience and necessity permit the abandonment by the Illinois Central Gulf Railroad Company of its line of railroad extending from railroad milepost 0.0 at Stewartsville, Indiana, in a southwesterly direction to the end of the line at milepost 6.34 at New Harmony, Indiana, a distance of 6.34 miles, in Posey County, Indiana. A certificate of abandonment will be issued to the Illinois Central Gulf Railroad Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) a financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) it is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into

a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-46 (Sub-No. 8)]

CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY ABANDONMENT BETWEEN MT. ZION AND KEOSAUQUA, IN VAN BUREN COUNTY, IOWA

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on June 25, 1976, a finding, which is administratively final, was made by the Commission, Review Board Number 5, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment*, 257 I.C.C. 700, the present and future public convenience and necessity permit the abandonment by the Chicago, Rock Island and Pacific Railroad Company of its line of railroad from milepost 0 in Mt. Zion, to the end of the line at milepost 4.5 in Keosauqua, a total distance of 4.5 miles, in Van Buren County, Iowa. A certificate of abandonment will be issued to the Chicago, Rock Island and Pacific Railroad Company based on the above-described finding of abandonment, 30 days after publication of this notice unless within 30 days from the date of publication, the Commission further finds that:

(1) a financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) it is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time,

not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone this issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

MOTOR CARRIER ALTERNATE ROUTE DEVIATIONS

The following letter-notices to operate over deviation routes for operating convenience only have been filed with the Commission under the Commission's Deviation Rules—Motor Carriers of Property (49 CFR § 1042.4(c) (11)).

Protests against the use of any proposed deviation route herein described may be filed with the Commission in the manner and form provided in such rules (49 CFR § 1042.4(c) (12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of this FEDERAL REGISTER notice.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its request.

MOTOR CARRIERS OF PROPERTY

No. MC-1074 (Deviation No. 9), ALLEGHENY FREIGHT LINES, INC., P.O. Box 601, Winchester, Va. 22601, filed August 23, 1976. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Clarksburg, W. Va., over U.S. Highway 50 to junction Interstate Highway 79, thence over Interstate Highway 79 to junction U.S. Highway 48 near Morgantown, W. Va., thence over U.S. Highway 48 to junction U.S. Highway 40, thence over U.S. Highway 40 to junction Interstate Highway 70, thence over Interstate Highway 70 to Frederick, Md., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Clarksburg, W. Va., over U.S. Highway 50 to Winchester, Va., thence over Alternate U.S. Highway 340 to junction U.S. Highway 340, thence over U.S. Highway 340 to Frederick, Md., and return over the same route.

No. MC-1074 (Deviation No. 10), ALLEGHENY FREIGHT LINES, INC., P.O. Box 601, Winchester, Va. 22601, filed August 23, 1976. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Pittsburgh, Pa., over Pennsylvania Highway 51 to junction U.S. Highway 40 near Uniontown, Pa., thence over U.S. Highway 40 to junction U.S. Highway 48, thence over U.S. Highway 48 to junction Maryland Highway 53 near Lavale, Md., thence over Maryland Highway 53 to junction U.S. Highway 220, thence over U.S. Highway 220 to junction Maryland Highway 9, thence over Maryland Highway 9 to junction West Virginia Highway 28 near Short Gap, W. Va., thence over West Virginia Highway 28 to junction U.S. Highway 50 near Romney, W. Va., thence over U.S. Highway 50 to Winchester, Va., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Pittsburgh, Pa., over Interstate Highway 376 to junction Interstate Highway 76, thence over Interstate Highway 76 to junction Interstate Highway 70, thence over Interstate Highway 70 to junction U.S. Highway 522, near Hancock, Md., thence over U.S. Highway 522 to Winchester, Va., and return over the same route.

No. MC-2754 (Deviation No. 2), NEUENDORF TRANSPORTATION CO., 121 S. Stoughton Rd., Madison, Wis. 53701, filed August 19, 1976. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Madison, Wis., over Interstate Highways 90 to 94 to junction Wisconsin Highway 80, thence over Wisconsin Highway 80 to junction Wisconsin Highways 13 and 73, thence over Wisconsin Highway 13 to Marshfield, Wis., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Madison, Wis., over U.S. Highway 51 to Portage, Wis., thence over U.S. Highway 16 to junction Wisconsin Highway 13 at Wisconsin Dells, Wis., thence over Wisconsin Highway 13 to Wisconsin Rapids, Wis., thence over Wisconsin Highway 34 to junction U.S. Highway 10, thence over U.S. Highway 10 to junction Wisconsin Highway 13, thence over Wisconsin Highway 13 to Marshfield, Wis., and return over the same route.

No. MC-8948 (Deviation No. 6), WESTERN GILLETTE, INC., 2550 East 28 Street, Los Angeles, Calif. 90058, filed July 13, 1976. Carrier's representative: R. Y. Schureman, 1545 Wilshire Blvd., Los Angeles, Calif. 90017. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Lebanon, Mo., over Missouri Highway 5 to junction U.S. High-

way 60, thence over U.S. Highway 60 to junction U.S. Highway 63, thence over U.S. Highway 63 to junction Arkansas Highway 14 near Marked Tree, Ark., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Lebanon, Mo., over U.S. Highway 66 to Springfield, Mo., thence over U.S. Highway 65 to junction Missouri Highway 14, thence over Missouri Highway 14 to junction Missouri Highway 5, thence over Missouri Highway 5 to Arkansas Highway 5, thence over Arkansas Highway 5 to Calico Rock, Ark., thence over Arkansas Highway 56 to Brockwell, Ark., thence over Arkansas Highway 9 to Melbourne, Ark., thence over Arkansas Highway 69 to junction U.S. Highway 167 at Batesville, Ark., thence over U.S. Highway 167 to junction Arkansas Highway 14 near Salado, Ark., thence over Arkansas Highway 14 to junction U.S. Highway 63 near Marked Tree, Ark., and return over the same route.

No. MC-8948 (Deviation No. 7), WESTERN GILLETTE, INC., 2550 East 28 Street, Los Angeles, Calif. 90058, filed July 13, 1976. Carrier's representative: R. Y. Schureman, 1545 Wilshire Blvd., Los Angeles, Calif. 90017. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Lebanon, Mo., over Missouri Highway 64 to junction U.S. Highway 65, thence over U.S. Highway 65 to junction U.S. Highway 54, thence over U.S. Highway 54 to junction Missouri Highway 13, thence over Missouri Highway 13 to junction Missouri Highway 7, thence over Missouri Highway 7 to junction U.S. Highway 71, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Lebanon, Mo., over U.S. Highway 66 to junction U.S. Highway 71, thence over U.S. Highway 71 to junction Missouri Highway 7 and return over the same route.

No. MC-75320 (Deviation No. 63), CAMPBELL SIXTY-SIX EXPRESS, INC., P.O. Box 807, Springfield, Mo. 65801, filed August 18, 1976. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction Arkansas Highway 59 and Interstate Highway 40 near Van Buren, Ark., over Interstate Highway 40 to junction Indian Nation Turnpike, thence over Indian Nation Turnpike to junction U.S. Highway 69 near Savanna, Okla., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Dallas, Tex., over U.S. Highway 75 to junction U.S. Highway 69, near Dennison, Tex., thence over U.S. Highway 69 to junction Oklahoma Highway 51 near Wagoner,

Okl., thence over Oklahoma Highway 51 to the Oklahoma-Arkansas State Line, thence over Arkansas Highway 244 to junction Arkansas Highway 59, thence over Arkansas Highway 59 to Van Buren, Ark., and return over the same route.

MOTOR CARRIER ALTERNATE ROUTE DEVIATIONS

The following letter-notices to operate over deviation routes for operating convenience only have been filed with the Commission under the Commission's Deviation Rules—Motor Carriers of Passengers (49 CFR § 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Commission in the manner and form provided in such rules (49 CFR § 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed on or before October 4, 1976.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its request.

MOTOR CARRIERS OF PASSENGERS

No. MC-67308 (Deviation No. 8), (Cancels Deviation No. 6) COLONIAL TRAILWAYS, 400 S. Royal St., P.O. Box 2712, Mobile, Ala. 36601, filed August 9, 1976. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over deviation routes as follows: From New Orleans, La., over Interstate Highway 10 to junction Mississippi Highway 57, thence over Mississippi Highway 57 to junction U.S. Highway 90, with the following access routes: (1) From junction Interstate Highway 10 and Mississippi Highway 607, over Mississippi Highway 607 to junction U.S. Highway 90, (2) From junction Interstate Highway 10 and U.S. Highway 49 over U.S. Highway 49 to Gulfport, Miss., and (3) From junction Interstate Highway 10 and Mississippi Highway 67 to Biloxi, Miss., and return over the same routes for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From New Orleans, La., over U.S. Highway 90 to Mobile, Ala., and return over the same route.

MOTOR CARRIER INTRASTATE APPLICATIONS

The following application for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to Section 206(a)(6) of the Interstate Commerce Act. These applications are governed by Special Rule 245 of the Commission's *General Rules of Practice* (49 CFR § 1100.245), which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

New York Docket No. T 9341 filed July 30, 1976. Applicant: GALAXY TRANSPORT, INC., P.O. Box 66, Buffalo, N.Y. 14212. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of *General commodities*, between all points in Cattaraugus, Chautauqua, Erie, Genesee, Livingston, Monroe, Niagara, Onondaga, Ontario, Orleans, Oswego, Wayne, and Wyoming Counties, N.Y. Intrastate, interstate and foreign commerce authority sought. Hearing: Date, time and place not yet fixed. Requests for procedural information should be addressed to the New York State Department of Transportation, 1220 Washington Avenue, State Campus, Albany, N.Y., 12232 and should not be directed to the Interstate Commerce Commission.

Oklahoma Docket No. MC 38947 filed August 5, 1976. Applicant: W.E.B., INC., 3812 N.W. 58th Terrace, Oklahoma City, Okla. 74126. Applicant's representative: Robert A. Miller, 2505 City National Bank Tower, Oklahoma City, Okla. 73102. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of *General commodities*, from Oklahoma City, Okla. over Interstate Highway 40 West to its junction with U.S. Highway 270, thence over U.S. Highway 270 to Geary, Okla., serving Karris and Calumet, Okla., thence over U.S. Highway 281 to Watonga, Okla., thence over U.S. Highway 270 to its junction via

State Highway 3 serving the off-route point of Fay, Okla., via State Highway 3 serving off-route points of Oakwood, Okla., through and serving Selling, Mutual, Woodward and Fort Supply, Okla., serving off-route points of Sharon via Highway 34 serving Woodward, thence via State Highway 15 to Fargo, Okla., serving off-route points of Tanger, Okla., then via State Highway 15 to U.S. Highway 270 to Woodward, then via U.S. Highway 270 to its junction with U.S. Highway 283 serving Fort Supply and May, Okla., then via U.S. Highway 283 to Rosston, Okla., also serving Laverne, Okla., thence East via U.S. Highway 64 to Buffalo, Okla., thence via U.S. Highway 64 to Plainview, Okla., serving off-route points of Selman, Lovedale and Edith to U.S. Highway 64 junction with State Highway 50 South to State Highway 15, serving Camp Houston and Freedom to Mooreland, Oklahoma thence via State Highway 15 to Woodward with additional route from Watonga, Okla. tacking with U.S. Highway 281 and I-40 to Oklahoma City, the route of North of Watonga via State Highway 8, one mile, to Highway 3 junction with Oklahoma Highway 51A to Southard, Okla., thence via State Highway 51 West to its junction with Highway 270 serving Hucmac, Canton, Carleton and continuing North via State Highway 51A to Fairview, Okla., and serving Fairview, Okla.

Thence via U.S. Highway 60 West to its junction with U.S. Highway 281, serving Chester and serving off-route points on Orion, Bado, Dane and Cedar Springs, Okla., and also serving at Woodward, Okla., all plantsites including industrial users within a fifteen mile radius of Woodward, Okla., thence via same route on return. Applicant intends to interline with other carriers at all points. Intrastate, interstate and foreign commerce authority sought. Hearing: Date scheduled for September 27, 1976, (place and time not shown). Requests for procedural information should be addressed to the Oklahoma Corporation Commission, Jim Thorpe Office Building, Oklahoma City, Okla. 73105 and should not be directed to the Interstate Commerce Commission.

GORDON H. HOMME, Jr.,
Acting Secretary.

[FR Doc.76-25568 Filed 9-1-76; 8:45 am]

federal register

THURSDAY, SEPTEMBER 2, 1976



PART II:

ENVIRONMENTAL PROTECTION AGENCY



WATER PROGRAMS

Secondary Treatment Information

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 133]

[FRL 586-2]

WATER PROGRAMS

Secondary Treatment Information

The purpose of this proposed rulemaking is to amend the Secondary Treatment Information regulation (40 CFR, Part 133). The proposed amendment recognizes that properly designed and operated waste stabilization ponds are a form of secondary treatment which may not be capable of achieving the suspended solids limitations contained in 40 CFR 133 without supplemental treatment processes for the removal of suspended solids. Amendment of Secondary Treatment Information is proposed to allow upward adjustment of the suspended solids limitations in cases where ponds which have a design capacity of one million gallons per day or less are used as the process for secondary treatment.

The Secondary Treatment Information regulation contained in 40 CFR Part 133 was promulgated pursuant to sections 301 and 304 of the Federal Water Pollution Control Act Amendments of 1972 (the Act). Section 304(d) (1) requires that the Environmental Protection Agency publish information on the degree of effluent reduction attainable through the application of secondary treatment within sixty days after enactment of the Act and from time to time thereafter. Section 301(b) (1) (B) of the Act requires that effluent limitations, based on secondary treatment, be achieved for all publicly owned treatment works in existence on July 1, 1977, or approved for a construction grant prior to June 30, 1974 (for which construction must be completed within four years of approval). Secondary Treatment Information was promulgated on August 17, 1973, and recently amended for deletion of the fecal coliform bacteria limitations and clarification of the pH requirement.

At the time 40 CFR 133 was proposed for public comment, the issue of the ability of waste stabilization ponds to achieve the proposed effluent quality in terms of suspended solids was raised. The Environmental Protection Agency recognized at that time that ponds as then in use generally had not been capable of producing effluents which are consistently low in suspended solids because of algae which result from the normal operations of ponds. The response of the Agency when 40 CFR 133 was promulgated was that it believed that with proper design (including solids separation processes in some cases) and operation, the level of effluent quality can be achieved with waste stabilization ponds.

In establishing the criteria for 40 CFR 133 and in considering comments submitted in response to its proposal, the Environmental Protection Agency was guided, in part, by the following: (1) The basic approach of Pub. L. 92-500 is directed at achieving incremental im-

provements in wastewater treatment practices and water quality, and (2) the legislative history of Pub. L. 92-500 clearly indicates that Congress intended that the secondary treatment regulation include controls on the discharge of suspended solids. Applying this basic guidance to waste stabilization ponds, the Agency has embarked on an extensive and successful research and development program to develop techniques for upgrading ponds since promulgation of 40 CFR 133. In March of 1974, the Agency published a technical bulletin entitled "Wastewater Treatment Ponds" to serve as a guide to the EPA Regional Administrators on design criteria for ponds. The technical bulletin, as well as the results of the research and development program on ponds, recognizes that in many cases upgrading techniques for the reduction of suspended solids go beyond traditional and even advanced pond design (i.e., two or more cells capable of series or parallel operation and controlled discharge) and require the use of supplemental mechanical devices such as filters.

Wastewater treatment ponds (lagoons) are widely used throughout the United States. Ponds have become very popular with small communities, primarily because of their relatively low construction and operating costs. As a result, nearly 90 percent of the wastewater treatment ponds in this country are located in communities of 5,000 people or less. Approximately 25 percent of the municipal wastewater treatment plants in the country are ponds.

In addition to the economic advantages that ponds afford to small and moderate size communities, there are additional benefits derived from the use of ponds for the treatment of wastewater. These benefits include the following:

1. Low energy requirements because treatment relies mostly on natural processes;
2. Successful operation is not dependent on highly skilled operating personnel;
3. Ponds are less subject to breakdown or malfunction than are mechanical plants;
4. Many ponds achieve low fecal coliform bacteria concentrations without a separate disinfection process or the use of chemical disinfectants.

Despite the inherent advantages associated with the application of ponds for wastewater treatment, particularly in small communities, there has been a considerable amount of controversy relating to ponds in recent years, as noted above. This controversy has centered around the issues of whether ponds can meet the suspended solids limitations required for secondary treatment. Secondary treatment (as defined in 40 CFR 133) is the minimum level of treatment required for all publicly owned treatment works. Effluent limitations required for secondary treatment are 30 mg/l or less of BOD and suspended solids on a 30-day average (or at least 85 percent removal, whichever is more stringent), 45 mg/l or less of BOD and suspended solids on a 7-day average, and pH within the range of 6.0 to 9.0.

Algae are naturally formed in municipal wastewater treatment ponds. Non-aerated ponds, which are the vast majority of municipal wastewater treatment ponds in this country, are designed to rely on photosynthetic oxygenation (i.e., oxygen from algae) for the oxygen needed for waste treatment. Thus algae, in addition to being a natural phenomenon in ponds, are also an integral part of the pond system.

Live algal cells do not readily settle even in the quiescent conditions occurring in the ponds. It is important to note, however, that the putrescible solids found in untreated or partially treated wastewater do readily settle in ponds which incorporate proper hydraulic design because of the quiescent conditions. The reason that most ponds cannot comply with the suspended solids limitations is because of algae.

Further indication and consequence of the fact that algae are not readily removed from pond effluents is that traditional pond design has not provided for the removal of algae and that historically pond performance has been measured in terms of BOD alone and not suspended solids. The suspended solids to BOD (five-day) ratio in most municipal wastewater (untreated and effluents from municipal plants) is generally in the range of 1:1 whereas the suspended solids to five-day BOD ratio in pond effluents can typically be as high as 2-4:1. Properly designed pond systems are reported to be generally capable of achieving the BOD limitations of 40 CFR 133; it is the suspended solids limitations upon which questions concerning the ability of ponds to meet the secondary treatment requirements have been based.

Methods for removing algae from pond effluents have been developed but have not been widely demonstrated in all climatic regions of the country. The most promising techniques developed thus far involve the use of sand or rock filters and may additionally require the use of chemical coagulants. Such systems generally have been developed to retain the features of low cost and simplified operation for ponds; however, supplemental treatment methods unavoidably add to the complexity of pond design and may strain the operational capability of small communities where the vast majority of ponds are used. Because of the increased complexity of supplemental systems for ponds and the emerging status of such systems at the present time, many pond users and state regulatory agencies have been reluctant to use them and have indicated it may be necessary to replace ponds which are incapable of achieving the limitations required for secondary treatment with mechanical treatment plants.

The Environmental Protection Agency believes that ponds play a vital role in the Nation's water pollution control strategy and that, because of their advantages of simplicity and low cost, ponds should be retained as an option for smaller communities. Furthermore, historically ponds have been considered as "secondary treatment" for smaller communities. The Agency also recognizes

that suspended solids due to live algae in pond effluents have fundamentally and substantially different characteristics than sewage solids or solids from other treatment processes. It is for these reasons that the amendment of the secondary treatment regulation to allow raising the suspended solids limitations for smaller ponds in accordance with the level of effluent quality achievable with pond technology is being proposed.

Special consideration is proposed for waste stabilization ponds in recognition of the fact that ponds without supplemental suspended solids removal processes may not be capable of achieving the suspended solids requirements of the Secondary Treatment Information regulation. The proposed amendment indicates that the suspended solids limitations of 40 CFR 133 may be adjusted to the level of effluent quality achievable by best pond technology, provided that: (1) Waste stabilization ponds are used as the process for secondary treatment, (2) the treatment works has a design capacity of one million gallons per day or less, and (3) performance data indicate that the treatment works cannot comply with the requirements of paragraphs (b)(1), (b)(2), and (b)(3) of § 133.102.

The proposed amendment allows the Regional Administrator (or the State, if the State has the authority to issue NPDES permits) to grant a variance with respect to the suspended solids requirements of 40 CFR 133 when establishing effluent limitations in NPDES permits for publicly owned treatment works which use waste stabilization ponds as the process for secondary treatment. A variance may be granted by the Regional Administrator or the authorized State agency, if the municipality can show that (1) the present system was designed in accordance with the traditional design of secondary treatment facilities, but (2) even if properly operated cannot meet the suspended solids limits of the secondary treatment standards, and (3) could not do so without the addition of treatment system elements not historically considered as secondary treatment (such as filtration systems). In granting a variance to a municipal pond user, the Regional Administrator or the State authority must specify the numerical suspended solids limitations which the pond will be required to meet; in no case, however, can facilities be exempted entirely from a suspended solids requirement. Effluent limitations for ponds established pursuant to the requirements of 40 CFR 133, including suspended solids limitations for ponds set in accordance with a variance procedure, will continue to be enforceable conditions of National Pollution Discharge Elimination System permits.

Variances would be granted to municipalities which apply for them based on the merits of individual requests and information specifically concerning the applicant and the pond facility under consideration. It is recognized, however, that it will be necessary for the efficient and effective implementation of a variance procedure for ponds for the Regional Ad-

ministrator or authorized State agency to establish statewide or areawide limitations for the suspended solids concentrations achievable by best waste stabilization pond technology in that State or geographical area. Regional or State limitations would then be used as the basis for granting variances and setting suspended solids limitations for qualified ponds.

The proposed amendment authorizes the Regional Administrator (or the State) "to adjust the effluent limitations set forth in paragraphs (b)(1), (b)(2), and (b)(3) * * * based on the solids concentrations achievable by the best waste stabilization technology * * *". Regional or State acceptance and performance criteria for establishment of suspended solids limitations for ponds and for specific determinations concerning individual pond facilities must be set in accordance with this requirement. It is important to note that determinations of the "suspended solids concentrations achievable by best waste stabilization pond technology" must be based on ponds which are achieving the BOD limitations of 40 CFR 133. Such determinations will necessarily have to consider minimum pond design standards (e.g., hydraulic and organic loading rates, number of cells and operational flexibility) required for compliance with the BOD limitations of § 133.102(a), which remain unchanged.

In proposing this amendment to 40 CFR 133, the Agency also recognizes that approximately 40 percent of the municipal wastewater treatment ponds in this country discharge to waters where specific water quality standards are required pursuant to sections 301, 302, and 303. In accordance with section 301(b)(1)(c) " * * * any more stringent limitation including those necessary to meet water quality standards, treatment standards or schedules of compliance, established pursuant to any State law or regulations * * * shall continue to apply in lieu of the requirements of 40 CFR 133, including a variance procedure for ponds. Accordingly, the granting of a variance for the suspended solids limitations ponds must consider any and all applicable water quality standards. Likewise, effluent limitations for suspended solids established in accordance with the variance must not cause water quality standards to be violated.

In proposing this amendment to 40 CFR 133 for small waste stabilization ponds, the Environmental Protection Agency does not intend to imply that supplemental treatment devices such as rock filters or intermittent sand filters are not acceptable methods for upgrading pond performance. Ponds which do not presently meet the discharge requirements pursuant to specific water quality standards can generally be economically upgraded to meet the required standards while preserving the basic concept of simplified operation. The Agency strongly believes that any large scale approach to replace ponds with mechanical plants would be ill-advised because the previously discussed advantages of ponds for small communities would be sacrificed.

Recommended methods for upgrading pond performance treatment requirements are detailed in the EPA Technical Bulletin on Wastewater Treatment Ponds (March 1974). Also available is the information presented at the Logan, Utah symposium on wastewater stabilization ponds. The report, entitled "Upgrading Wastewater Stabilization Ponds to Meet New Discharge Standards—Symposium Proceedings," presents the latest information on pond technology and stresses the methods by which ponds and pond design can be upgraded. Additional information on the subject of upgrading ponds is available from the EPA Technology Transfer Program.

Interested persons are invited to comment on the proposed amendments to Part 133 by sending written comments to the Office of Water Program Operations (WH-547), United States Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. Prior to promulgation of the proposed amendments in final form, all comments received on or before November 1, 1976 will be carefully considered. All comments received may be inspected at the above location during normal working hours by interested members of the public.

In consideration of the foregoing, it is proposed to amend Part 133 of Chapter I of Title 40 of the Code of Federal Regulations as set forth below.

(Section 304(d)(1) and 301(b)(1)(B) of the Federal Water Pollution Control Act Amendments of 1972 (33 U.S.C. 1342, 1345, and 1361)).

Dated: August 25, 1976.

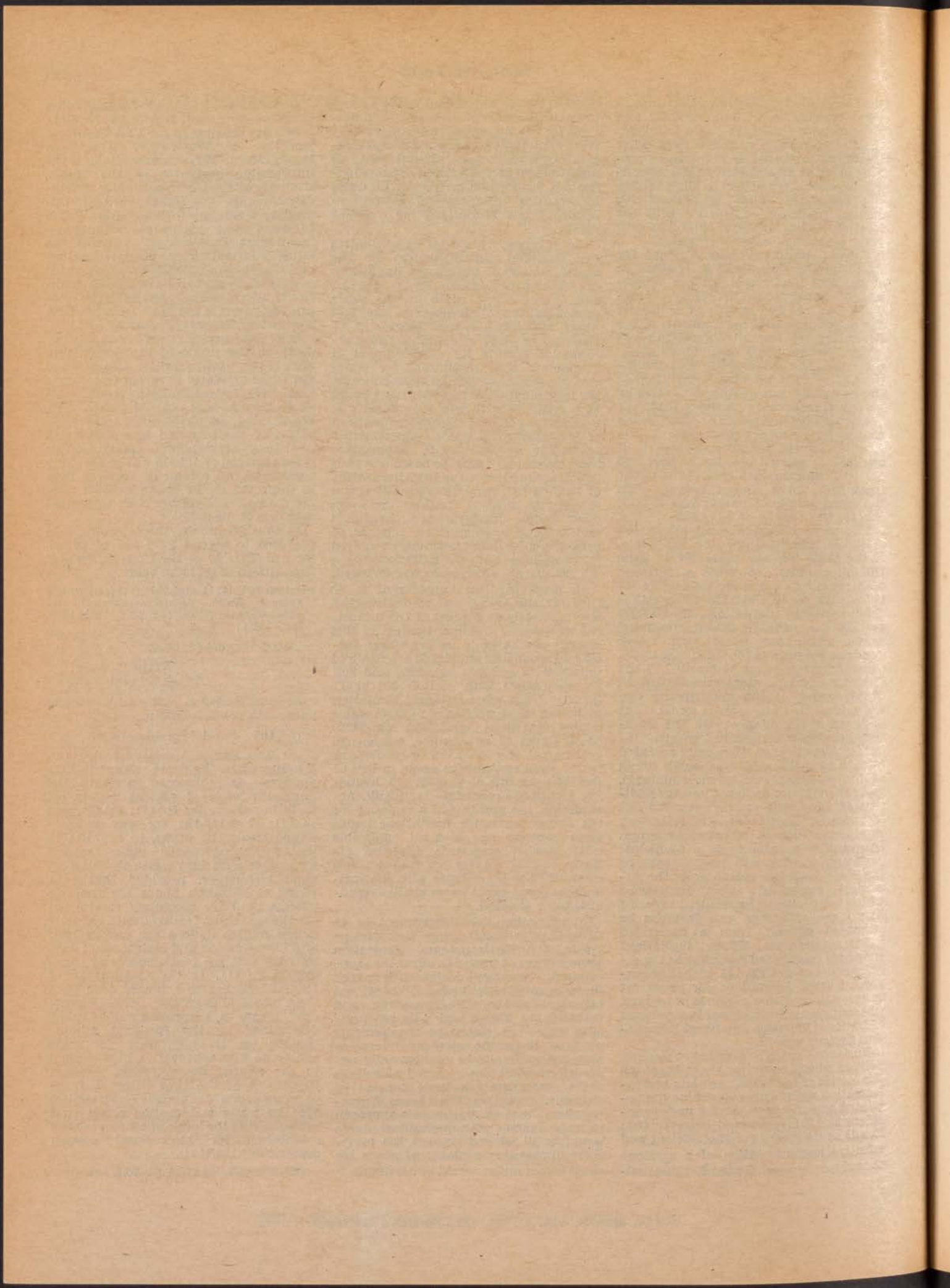
ALVIN Z. ALM,
Acting Administrator.

Section 133.103 is amended by adding paragraph (c) as follows:

§ 133.103 Special considerations.

(c) The Regional Administrator (or, if appropriate, the State subject to EPA approval) is authorized to adjust the minimum levels of effluent quality set forth in paragraphs (b)(1), (b)(2), and (b)(3) of § 133.102 for any publicly owned treatment works, to conform to the suspended solids concentrations achievable with best waste stabilization pond technology, provided that: (1) Waste stabilization ponds are the sole process used for secondary treatment; (2) the maximum facility design capacity is one million gallons per day or less; and (3) operation and maintenance data indicate that the requirements of paragraphs (b)(1), (b)(2) and (b)(3) of § 133.102 cannot be achieved. The term "best waste stabilization pond technology" means a suspended solids value, determined by the Regional Administrator (or, if appropriate, the State subject to EPA approval), which is equal to the effluent concentration achieved 90 percent of the time within a State or appropriate contiguous geographical area by waste stabilization ponds that are achieving the levels of effluent quality established for biochemical oxygen demand in § 133.102(a).

[FR Doc.76-25523 Filed 9-1-76; 8:45 am]



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THURSDAY, SEPTEMBER 2, 1976



PART III:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary
for Housing—
Federal Housing Commissioner
(FHA)



MORTGAGE AND LOAN INSURANCE PROGRAMS; MISCELLANEOUS AMENDMENTS

Notice of Proposed Rulemaking

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing
Production and Mortgage Credit—
Federal Housing Commissioner, (FHA)

[24 CFR Parts 205, 207, 213, 221, 231,
232, 241, 242, 244]

[Docket No. R-76-407]

MORTGAGE AND LOAN INSURANCE PROGRAMS UNDER THE NATIONAL HOUSING ACT

Miscellaneous Amendments; Notice of Proposed Rulemaking

The Department is proposing to amend Parts 207, 213, 221 and 231 of this chapter to reflect a change in policy with respect to the disbursement of mortgage proceeds for construction items under a construction contract where there is no identity of interest between the mortgagor and general contractor. Presently, in accordance with the provisions of the construction contract, the contractor is entitled to monthly payments for construction items in an amount equal to the value of the work acceptably completed and the materials stored on the site less 10 percent (holdback) and prior advances. The holdback is not released to the contractor until the project has been completed and the contractor, mortgagor and mortgagee have completed all requirements for a final loan closing, and the final advance is made. Thus, under these procedures, some contractors have suffered financial losses when they have completed the project and performed all the obligations under the construction contract, but the mortgage has not been finally endorsed for insurance because the mortgagor or the mortgagee has not met all requirements for closing, or the mortgage has gone into default subsequent to the completion of the project. When the contractor is not able to obtain the holdback because the final advance is not made by the mortgagee, a frequent result is that some of the subcontractors do not get paid.

The proposed amendments to the regulations will provide for a procedure whereby the contractor will make monthly requisitions to the mortgagor for payment of 100 percent of the value of the work acceptably completed since the last request for payment plus the value of the materials stored on the site. There will be no deduction in the contractor's request for the 10 percent holdback. Neither shall the mortgagor's proceeds for construction items contain a deduction for the 10 percent holdback. Both the contractor's requisition and the mortgagor's request for an advance will be predicated on the mortgagee's agreement that that portion of the advance which represents the 10 percent holdback will be retained by the mortgagee to be paid into an escrow account, minus an amount that is one and one-half times the cost estimated by HUD that is required for the completion of any minor incomplete on-site construction items, when the project had been substantially completed as determined by HUD. In the case where a cost plus form of contract

has been used, the mortgagee will not deposit the holdback monies into the escrow account until there has been both substantial completion of the project, as determined by HUD, and the mortgagee has been notified by the HUD field office having jurisdiction that the contractor has filed his "Contractor's Certificate of Actual Cost" with HUD. Disbursement from the escrow account will be made in accordance with the terms of an Escrow Agreement which shall provide for direct payment to the contractor upon notification from HUD that the contractor has complied with the conditions of the Escrow Agreement. The primary requirement in the Escrow Agreement which must be met before the contractor is entitled to the escrow account is the submission of his "Certificate of Actual Cost" and its approval by HUD. This will not be a requirement when the use of a lump sum contract has been approved by HUD in accordance with the regulations. When such a contract has been used, entitlement to the escrow account shall be automatic, except for the limitation on receipt of monies in excess of the contract amount.

When the project has been completed, as determined by HUD, there will be no requirement for the mortgagor to make a request to the mortgagee and HUD for an advance for the holdback, since the amount of the holdback will have been included in each of the mortgagor's requests from the start of construction. The contractor, with the prior approval of HUD, can make the request directly to the mortgagee for disbursement of the holdback to the escrow account. The mortgagee will not have disbursed from mortgage proceeds the amount of the holdback until it is placed in the escrow account, and, thus, the mortgagee will not be entitled to interest from the mortgagor on the amount of the holdback until it is placed in the escrow account. The amount of the holdback will be insured by HUD when it is put in the escrow account.

The proposed regulations require that the holdback be placed in an escrow account which may be an interest bearing account if the mortgagor and general contractor have so agreed. Any interest earned shall be turned over to the contractor.

The Department is limiting the applicability of the proposed regulations to those projects where there is no identity of interest between the mortgagor and general contractor. It was considered that where a contractor has an identity of interest with the mortgagor, such contractor has provided the leverage necessary to protect itself against a mortgagor who, through inaction or default, prevents a final closing.

As mentioned above, one of the considerations in this proposal was to provide the release of funds which could be used to pay subcontractors. However, the proposed regulations will not eliminate any other requirements in the regulations, or in the contractual documents used in the mortgage insurance transaction, for subcontractors to submit certificates of actual cost.

There are several HUD legal forms and documents used in mortgage insurance transactions which must be amended if these regulations are adopted. The amendments will reflect the procedures as set forth in the proposed regulations.

The proposed regulations are to apply prospectively, but in those cases where a construction contract has already been executed at the time the regulations are finally adopted, the appropriate legal documents can be amended to reflect the new procedures if all the parties to the insurance transaction, including HUD, agree.

The Department is also proposing additional amendments to those parts noted above as well as amendments to Parts 205, 232, 241, 242 and 244, to require that every construction contract contain a provision obligating the general contractor to give a copy of the "Contractor's and/or Mortgagors' Cost Breakdown" to each subcontractor, to inform each subcontractor of each draw under the contract, and, when applying for a draw, to submit appropriate receipts or waivers from each subcontractor for work covered by previous draws. The Department is proposing this change to enable subcontractors to be better informed so that they may more effectively protect their interests.

Interested persons are invited to participate in this proposed rulemaking by submitting written data, views and suggestions. Communications should identify the subject matter by title and docket number and should be filed with the Rules Docket Clerk, Office of the Secretary, Room 10141, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410. All relevant material received on or before October 4, 1976, will be considered before adoption of the final rule. Copies of comments received will be available for examination during business hours at the above address.

The Department has determined that an Environmental Impact Statement is not required with respect to this rule. The Finding of Inapplicability, in accordance with HUD's environmental procedures handbook (HUD Handbook 1390.1, is available for inspection at the Office of the Rules Docket Clerk, at the above address.

Accordingly, it is proposed that Parts 205, 207, 213, 221, 231, 232, 241, 242 and 244 of Chapter II of Title 24 of the Code of Federal Regulations be amended to read as follows:

PART 205—MORTGAGE INSURANCE FOR LAND DEVELOPMENT (TITLE X)

1. Section 205.112 is amended by adding a new paragraph (c) to read as follows:

§ 205.112 Form of contract.

(c) Provisions regarding subcontractors. The lump sum and fixed fee construction contracts shall contain a provision requiring the general contractor: (1) To give a copy of the "Contractors and/or Mortgagors Cost Breakdown" to

each subcontractor, (2) To inform every subcontractor of each draw under the contract, including the release of any holdback, and (3) When applying for a draw, to submit appropriate receipts and waivers from each subcontractor for the work covered by the previous draw.

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

2. Subpart A of the Table of Contents to Part 207 is amended to include a new section numbered § 207.26a and designated, "Disposition of general contractor's holdback," as follows:

Sec.
207.26a Disposition of general contractor's holdback.

3. Section 207.26 is amended by placing the letter (a) before the introductory language, redesignating paragraphs (a), (b), (c) and (d) to (1), (2), (3) and (4) respectively, and by adding a new paragraph (b) to read as follows:

§ 207.26 Form of contract.

(b) The lump sum and cost plus construction contracts shall contain a provision requiring the general contractor:

- (1) To give a copy of the "Contractor's and/or Mortgagor's Cost Breakdown" to each subcontractor, (2) To inform every subcontractor of each draw under the contract, including the release of any holdback, and (3) When applying for a draw, to submit appropriate receipts and waivers from each subcontractor for work covered by the previous draw.

4. The following new section is added and designated as § 207.26a:

§ 207.26a Disposition of general contractor's holdback.

In those cases in which a construction contract has been executed after _____, and there is no identity of interest between the mortgagor and general contractor, the following provisions shall be applicable:

(a) The construction contract, whether it be lump sum or cost plus, shall contain provisions whereby the mortgagor and contractor agree that the general contractor:

- (1) Shall submit to the mortgagor, on a monthly basis, a requisition for payment equal to the total value of classes of work acceptably completed plus the value of materials and equipment not incorporated in the work but delivered to, and suitably stored at, the site, less prior payments made to the general contractor;

- (2) Shall accept, for each and every requisition, 90 percent of the amount approved for payment, and shall agree that the remaining 10 percent shall be retained by the mortgagee to be deposited in an escrow account when the construction of the project has been substantially completed, with the exception of minor incomplete on-site construction items, and the following requirements have been met:

- (i) All work under the construction contract, requiring inspection by municipal or other governmental authorities having jurisdiction, has been inspected and approved by such authorities and by the rating or inspection organization, bureau, association or office having jurisdiction; (ii) All required certificates of occupancy or other approvals, with respect to all units of the project, have been issued by State or local governmental authorities having jurisdiction; (iii) Permissions to occupy for all units of the project have been issued by the Commissioner; and (iv) In the event a cost-plus form of contract has been used, that the mortgagee has been notified by the HUD field office that the mortgagor has filed the "Contractor's Certificate of Actual Cost" with the Commissioner, except that, if the mortgagor fails or refuses to file such a certificate within a reasonable time, the general contractor's direct submission of the certificate of actual cost may be the basis for the HUD field office notification and the establishment of the escrow.

- (3) Shall be entitled to the funds in the escrow account upon compliance with the terms of the Escrow Agreement which shall contain the conditions for release of the escrow account to the general contractor; and

(b) The building loan agreement shall provide that:

- (1) The mortgagor shall request monthly from the mortgagee an advance of mortgage proceeds for construction items in the amount of the total value of classes of work acceptably completed plus the value of materials and equipment not incorporated in the work but delivered to, and suitably stored at, the site, less prior advances;

- (2) The mortgagor shall accept, for each and every advance, 90 percent of the amount of advance approved;

- (3) The mortgagee shall retain the remaining 10 percent of each approved advance;

- (4) The mortgagee shall transfer the 10 percent holdback for each advance, minus an amount that is one and one-half times the cost estimated by the Commissioner that is required for the completion of any minor incomplete on-site construction items, to an escrow account when the general contractor completes the construction as determined by the Commissioner and meets the requirements set forth in paragraphs (a) (2) (i), (ii) and (iii), and (a) (2) (i), (ii), (iii) and (iv) of this section for a general contractor who has executed a lump sum form of contract or cost plus form of contract, respectively.

- (5) The 10 percent holdback shall not be construed as an advance from mortgage proceeds by the mortgagee until the mortgagee places the funds in an escrow account in accordance with paragraph (b) (4) of this section; and

- (6) The mortgagee and mortgagor agree that, notwithstanding the inclusion in the building loan agreement of the provisions contained in paragraphs (b) (1) through (5) of this section, the mortgagee is not required to make any advance of mortgage proceeds if the mortgagor is in default under the building loan agreement, other than the advance of the 10 percent holdback in accordance with paragraph (b) (4) of this section, and, except as altered by the provisions of this paragraph, the rights and obligations of the mortgagee and mortgagor under the building loan agreement shall not be affected.

(c) An Escrow Agreement shall be established for the purposes set forth in paragraphs (a) and (b) of this section and the depository under such agreement shall be either the mortgagee or a party designated by the mortgagee. The agreement shall contain provisions for the release of the escrow fund which shall include the requirement that the general contractor submit its certificate of actual cost for approval by the Commissioner and that the certificate be approved by the Commissioner before the contractor shall be entitled to the fund. If the mortgagor and general contractor have entered into a lump-sum contract, the requirement for the certificate of actual cost shall not be applicable. The Escrow Agreement shall provide that the depository will:

- (1) Release the funds upon request of the general contractor and approval of the Commissioner;
- (2) Invest the funds in an interest bearing account, if the mortgagor and general contractor have so agreed, which interest shall be paid to the general contractor when the escrowed funds are released to the general contractor; and
- (3) Release to the general contractor only that portion of the escrowed funds which do not exceed the amount of costs approved by the Commissioner on the "Contractor's Certificate of Actual Cost", or, in the case of a general contractor which has entered into a lump sum contract, an amount, which when added to payments already received, does not exceed the amount of the lump sum contract.

- (d) The mortgagee's request for approval by the Commissioner of an advance for construction items shall contain a provision that such approval by the Commissioner shall constitute approval for mortgage insurance of the 10 percent holdback retained by the mortgagee when the retained funds are placed in an escrow account in accordance with this section. The mortgage insurance on the funds retained by the mortgagee shall be effective on the date the funds are transferred to the escrow account.

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

5. Subpart A of the Table of Contents to Part 213 is amended to include a new section numbered § 213.34a and designated, "Disposition of general contractor's holdback," as follows:

Sec.
213.34a Disposition of general contractor's holdback.

6. Section 213.34 is amended by placing the letter (a) before the introductory language, redesignating paragraphs (a), (b) and (c) to (1), (2) and (3) respectively.

tively, and by adding a new paragraph (b) to read as follows:

§ 213.34 Form of contract.

(b) The lump sum and cost plus construction contracts shall contain a provision requiring the general contractor: (1) To give a copy of the "Contractor's and/or Mortgagor's Cost Breakdown" to each subcontractor, (2) To inform every subcontractor of each draw under the contract, including the release of any holdback, and (3) When applying for a draw, to submit appropriate receipts and waivers from each subcontractor for work covered by the previous draw.

7. The following new section is added and designated as 213.34a:

§ 213.34a Disposition of general contractor's holdback.

In those cases in which a construction contract has been executed after -----, and there is no identity of interest between the mortgagor and general contractor, the following provisions shall be applicable:

(a) The construction contract, whether it be lump sum or cost plus, shall contain provisions whereby the mortgagor and contractor agree that the general contractor:

(1) Shall submit to the mortgagor, on a monthly basis, a requisition for payment equal to the total value of classes of work acceptably completed plus the value of materials and equipment not incorporated in the work but delivered to, and suitably stored at, the site, less prior payments made to the general contractor;

(2) Shall accept, for each and every requisition, 90 percent of the amount approved for payment, and shall agree that the remaining 10 percent shall be retained by the mortgagee to be deposited in an escrow account when the construction of the project has been substantially completed, with the exception of minor incomplete on-site construction items, and the following requirements have been met:

(i) All work under the construction contract, requiring inspection by municipal or other governmental authorities having jurisdiction, has been inspected and approved by such authorities and by the rating or inspection organization, bureau, association or office having jurisdiction; (ii) All required certificates of occupancy or other approvals, with respect to all units of the project, have been issued by State or local governmental authorities having jurisdiction; (iii) Permissions to occupy for all units of the project have been issued by the Commissioner; and (iv) In the event a cost-plus form of contract has been used, that the mortgagee has been notified by the HUD field office that the mortgagor has filed the "Contractor's Certificate of Actual Cost" with the Commissioner, except that, if the mortgagor fails or refuses to file such a certificate within a reasonable time, the general contractor's direct submission of the certificate of actual cost may be the basis for the HUD field office notification and the establishment of the escrow.

(3) Shall be entitled to the funds in the escrow account upon compliance with the terms of the Escrow Agreement which shall contain the conditions for release of the escrow account to the general contractor; and

(b) The building loan agreement shall provide that:

(1) The mortgagor shall request monthly from the mortgagee an advance of mortgage proceeds for construction items in the amount of the total value of classes of work acceptably completed plus the value of materials and equipment not incorporated in the work but delivered to, and suitably stored at, the site, less prior advances;

(2) The mortgagor shall accept, for each and every advance, 90 percent of the amount of advance approved;

(3) The mortgagee shall retain the remaining 10 percent of each approved advance;

(4) The mortgagee shall transfer the 10 percent holdback for each advance, minus an amount that is one and one-half times the cost estimated by the Commissioner that is required for the completion of any minor incomplete on-site construction items, to an escrow account when the general contractor completes the construction as determined by the Commissioner and meets the requirements set forth in paragraphs (a) (2) (i), (ii) and (iii), and (a) (2) (i), (ii), (iii) and (iv) of this section for a general contractor who has executed a lump sum form of contract or cost plus form of contract, respectively.

(5) The 10 percent holdback shall not be construed as an advance from mortgage proceeds by the mortgagee until the mortgagee places the funds in an escrow account in accordance with paragraph (b) (4) of this section; and

(6) The mortgagee and mortgagor agree that, notwithstanding the inclusion in the building loan agreement of the provisions contained in paragraphs (b) (1) through (5) of this section, the mortgagee is not required to make any advance of mortgage proceeds if the mortgagor is in default under the building loan agreement, other than the advance of the 10 percent holdback in accordance with paragraph (b) (4) of this section, and, except as altered by the provisions of this paragraph, the rights and obligations of the mortgagee and mortgagor under the building loan agreement shall not be affected.

(c) An Escrow Agreement shall be established for the purposes set forth in paragraphs (a) and (b) of this section and the depository under such agreement shall be either the mortgagee or a party designated by the mortgagee. The agreement shall contain provisions for the release of the escrow fund which shall include the requirement that the general contractor submit its certificate of actual cost for approval by the Commissioner and that the certificate be approved by the Commissioner before the contractor shall be entitled to the fund. If the mortgagor and general contractor have entered into a lump sum contract, the requirement for the certificate of actual cost shall not be applicable. The Escrow

Agreement shall provide that the depository will:

(1) Release the funds upon request of the general contractor and approval of the Commissioner;

(2) Invest the funds in an interest bearing account, if the mortgagor and general contractor have so agreed, which interest shall be paid to the general contractor when the escrowed funds are released to the general contractor; and

(3) Release to the general contractor only that portion of the escrowed funds which do not exceed the amount of costs approved by the Commissioner on the "Contractor's Certificate of Actual Cost", or, in the case of a general contractor which has entered into a lump sum contract, an amount, which when added to payments already received, does not exceed the amount of the lump sum contract.

(d) The mortgagee's request for approval by the Commissioner of an advance for construction items shall contain a provision that such approval by the Commissioner shall constitute approval for mortgage insurance of the 10 percent holdback retained by the mortgagee when the retained funds are placed in an escrow account in accordance with this section. The mortgage insurance on the funds retained by the mortgagee shall be effective on the date the funds are transferred to the escrow account.

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

8. Subpart C of the Table of Contents to Part 221 is amended to include a new section numbered § 221.548a and designated, "Disposition of general contractor's holdback," as follows:

Sec.

221.548a Disposition of general contractor's holdback.

9. Section 221.548 is amended by adding a new paragraph (d) to read as follows:

§ 221.548 Form of contract.

(d) Provisions regarding subcontractors. The lump sum and cost plus construction contracts shall contain a provision requiring the general contractor:

(1) To give a copy of the "Contractor's and/or Mortgagor's Cost Breakdown" to each subcontractor, (2) To inform every subcontractor of each draw under the contract, including the release of any holdback, and (3) When applying for a draw, to submit appropriate receipts and waivers from each subcontractor for work covered by the previous draw.

10. The following new section is added and designated as § 221.548a:

§ 221.548a Disposition of general contractor's holdback.

In those cases in which a construction contract has been executed after -----, and there is no identity of interest between the mortgagor and general contractor, the following provisions shall be applicable:

(a) The construction contract, whether it be lump sum or cost plus, shall contain provisions whereby the mortgagor

and contractor agree that the general contractor:

(1) Shall submit to the mortgagor, on a monthly basis, a requisition for payment equal to the total value of classes of work acceptably completed plus the value of materials and equipment not incorporated in the work but delivered to, and suitably stored at, the site, less prior payments made to the general contractor;

(2) Shall accept, for each and every requisition, 90 percent of the amount approved for payment, and shall agree that the remaining 10 percent shall be retained by the mortgagee to be deposited in an escrow account when the construction of the project has been substantially completed, with the exception of minor incomplete on-site construction items, and the following requirements have been met:

(i) All work under the construction contract, requiring inspection by municipal or other governmental authorities having jurisdiction, has been inspected and approved by such authorities and by the rating or inspection organization, bureau, association or office having jurisdiction; (ii) All required certificates of occupancy or other approvals, with respect to all units of the project, have been issued by State or local governmental authorities having jurisdiction; (iii) Permissions to occupy for all units of the project have been issued by the Commissioner; and (iv) In the event a cost-plus form of contract has been used, that the mortgagee has been notified by the HUD field office that the mortgagor has filed the "Contractor's Certificate of Actual Cost" with the Commissioner, except that, if the mortgagor fails or refuses to file such a certificate within a reasonable time, the general contractor's direct submission of the certificate of actual cost may be the basis for the HUD field office notification and the establishment of the escrow.

(3) Shall be entitled to the funds in the escrow account upon compliance with the terms of the Escrow Agreement which shall contain the conditions for release of the escrow account to the general contractor; and

(b) The building loan agreement shall provide that:

(1) The mortgagor shall request monthly from the mortgagee an advance of mortgage proceeds for construction items in the amount of the total value of classes of work acceptably completed plus the value of materials and equipment not incorporated in the work but delivered to, and suitably stored at, the site, less prior advances;

(2) The mortgagor shall accept, for each and every advance, 90 percent of the amount of advance approved;

(3) The mortgagee shall retain the remaining 10 percent of each approved advance;

(4) The mortgagee shall transfer the 10 percent holdback for each advance, minus an amount that is one and one-half times the cost estimated by the Commissioner that is required for the completion of any minor incomplete on-site construction items, to an escrow account when the general contractor completes the construction as determined by the

Commissioner and meets the requirements set forth in paragraphs (a) (2) (i), (ii) and (iii), and (a) (2) (i), (ii), (iii) and (iv) of this section for a general contractor who has executed a lump sum form of contract or cost plus form of contract, respectively.

(5) The 10 percent holdback shall not be construed as an advance from mortgage proceeds by the mortgagee until the mortgagee places the funds in an escrow account in accordance with paragraph (b) (4) of this section; and

(6) The mortgagee and mortgagor agree that, notwithstanding the inclusion in the building loan agreement of the provisions contained in paragraphs (b) (1) through (5) of this section, the mortgagee is not required to make any advance of mortgage proceeds if the mortgagor is in default under the building loan agreement, other than the advance of the 10 percent holdback in accordance with paragraph (b) (4) of this section, and, except as altered by the provisions of this paragraph, the rights and obligations of the mortgagee and mortgagor under the building loan agreement shall not be affected.

(c) An Escrow Agreement shall be established for the purposes set forth in paragraphs (a) and (b) of this section and the depository under such agreement shall be either the mortgagee or a party designated by the mortgagee. The agreement shall contain provisions for the release of the escrow fund which shall include the requirement that the general contractor submit its certificate of actual cost for approval by the Commissioner and that the certificate be approved by the Commissioner before the contractor shall be entitled to the fund. If the mortgagor and general contractor have entered into a lump sum contract, the requirement for the certificate of actual cost shall not be applicable. The Escrow Agreement shall provide that the depository will:

(1) Release the funds upon request of the general contractor and approval of the Commissioner;

(2) Invest the funds in an interest bearing account, if the mortgagor and general contractor have so agreed, which interest shall be paid to the general contractor when the escrowed funds are released to the general contractor; and

(3) Release to the general contractor only that portion of the escrowed funds which do not exceed the amount of costs approved by the Commissioner on the "Contractor's Certificate of Actual Cost", or, in the case of a general contractor which has entered into a lump sum contract, an amount, which when added to payments already received, does not exceed the amount of the lump sum contract.

(d) The mortgagee's request for approval by the Commissioner of an advance for construction items shall contain a provision that such approval by the Commissioner shall constitute approval for mortgage insurance of the 10 percent holdback retained by the mortgagee when the retained funds are placed in an escrow account in accordance with this section. The mortgage insurance on

the funds retained by the mortgagee shall be effective on the date the funds are transferred to the escrow account.

PART 231—HOUSING MORTGAGE INSURANCE FOR THE ELDERLY

11. Subpart A of the Table of Contents to Part 231 is amended to include a new section numbered § 231.10c and designated, "Disposition of general contractor's holdback," as follows:

Sec.
231.10c Disposition of general contractor's holdback.

12. Section 231.10b is amended by adding a new paragraph (d) to read as follows:

§ 231.10b. Form of contract.

(d) Provisions regarding subcontractors. The lump sum and cost plus construction contracts shall contain a provision requiring the general contractor: (1) To give a copy of the "Contractor's and/or Mortgagor's Cost Breakdown" to each subcontractor, (2) To inform every subcontractor of each draw under the contract, including the release of any holdback, and (3) When applying for a draw, to submit appropriate receipts and waivers from each subcontractor for work covered by the previous draw.

13. The following new section is added and designated as 231.10c:

§ 231.10c Disposition of general contractor's holdback.

In those cases in which a construction contract has been executed after -----, and there is no identity of interest between the mortgagor and general contractor, the following provisions shall be applicable:

(a) The construction contract, whether it be lump sum or cost plus, shall contain provisions whereby the mortgagor and contractor agree that the general contractor:

(1) Shall submit to the mortgagor, on a monthly basis, a requisition for payment equal to the total value of classes of work acceptably completed plus the value of materials and equipment not incorporated in the work but delivered to, and suitably stored at, the site, less prior payments made to the general contractor;

(2) Shall accept, for each and every requisition, 90 percent of the amount approved for payment, and shall agree that the remaining 10 percent shall be retained by the mortgagee to be deposited in an escrow account when the construction of the project has been substantially completed, with the exception of minor incomplete on-site construction items, and the following requirements have been met:

(i) All work under the construction contract, requiring inspection by municipal or other governmental authorities having jurisdiction, has been inspected and approved by such authorities and by the rating or inspection organization, bureau, association or office having jurisdiction; (ii) All required certificates of occupancy or other approvals, with re-

spect to all units of the project, have been issued by State or local governmental authorities having jurisdiction; (iii) Permissions to occupy for all units of the project have been issued by the Commissioner; and (iv) In the event a cost-plus form of contract has been used, that the mortgagee has been notified by the HUD field office that the mortgagor has filed the "Contractor's Certificate of Actual Cost" with the Commissioner, except that, if the mortgagor fails or refuses to file such a certificate within a reasonable time, the general contractor's direct submission of the certificate of actual cost may be the basis for the HUD field office notification and the establishment of the escrow.

(3) Shall be entitled to the funds in the escrow account upon compliance with the terms of the Escrow Agreement which shall contain the conditions for release of the escrow account to the general contractor; and

(b) The building loan agreement shall provide that:

(1) The mortgagor shall request monthly from the mortgagee an advance of mortgage proceeds for construction items in the amount of the total value of classes of work acceptably completed plus the value of materials and equipment not incorporated in the work but delivered to, and suitably stored at, the site, less prior advances;

(2) The mortgagor shall accept, for each and every advance, 90 percent of the amount of advance approved;

(3) The mortgagee shall retain the remaining 10 percent of each approved advance;

(4) The mortgagee shall transfer the 10 percent holdback for each advance, minus an amount that is one and one-half times the cost estimated by the Commissioner that is required for the completion of any minor incomplete on-site construction items, to an escrow account when the general contractor completes the construction as determined by the Commissioner and meets the requirements set forth in paragraphs (a) (2) (i), (ii) and (iii), and (a) (2) (i), (ii), (iii) and (iv) of this section for a general contractor who has executed a lump sum form of contract or cost plus form of contract, respectively.

(5) The 10 percent holdback shall not be construed as an advance from mortgage proceeds by the mortgagee until the mortgagee places the funds in an escrow account in accordance with paragraph (b) (4) of this section; and

(6) The mortgagee and mortgagor agree that, notwithstanding the inclusion in the building loan agreement of the provisions contained in paragraphs (b) (1) through (5) of this section, the mortgagee is not required to make any advance of mortgage proceeds if the mortgagor is in default under the building loan agreement, other than the advance of the 10 percent holdback in accordance with paragraph (b) (4) of this section, and, except as altered by the provisions of this paragraph, the rights and obligations of the mortgagee and mortgagor under the building loan agreement shall not be affected.

(c) An Escrow Agreement shall be established for the purposes set forth in paragraphs (a) and (b) of this section and the depository under such agreement shall be either the mortgagee or a party designated by the mortgagee. The agreement shall contain provisions for the release of the escrow fund which shall include the requirement that the general contractor submit its certificate of actual cost for approval by the Commissioner and that the certificate be approved by the Commissioner before the contractor shall be entitled to the fund. If the mortgagor and general contractor have entered into a lump sum contract, the requirement for the certificate of actual cost shall not be applicable. The Escrow Agreement shall provide that the depository will:

(1) Release the funds upon request of the general contractor and approval of the Commissioner;

(2) Invest the funds in an interest bearing account, if the mortgagor and general contractor have so agreed, which interest shall be paid to the general contractor when the escrowed funds are released to the general contractor; and

(3) Release to the general contractor only that portion of the escrowed funds which do not exceed the amount of costs approved by the Commissioner on the "Contractor's Certificate of Actual Cost", or, in the case of a general contractor which has entered into a lump sum contract, an amount, which when added to payments already received, does not exceed the amount of the lump sum contract.

(d) The mortgagee's request for approval by the Commissioner of an advance for construction items shall contain a provision that such approval by the Commissioner shall constitute approval for mortgage insurance of the 10 percent holdback retained by the mortgagee when the retained funds are placed in an escrow account in accordance with this section. The mortgage insurance on the funds retained by the mortgagee shall be effective on the date the funds are transferred to the escrow account.

PART 232—NURSING HOMES AND INTERMEDIATE CARE FACILITIES MORTGAGE INSURANCE

14. Section 232.81 is amended by adding a new paragraph (e) to read as follows:

§ 232.81 Form of contract.

(e) Provisions regarding subcontractors. The lump sum and cost plus construction contracts shall contain a provision requiring the general contractor: (1) To give a copy of the "Contractor's and/or Mortgagor's Cost Breakdown" to each subcontractor, (2) To inform every subcontractor of each draw under the contract, including the release of any holdback, and (3) When applying for a draw, to submit appropriate receipts and waivers from each subcontractor for work covered by the previous draw.

PART 241—SUPPLEMENTARY FINANCING FOR INSURED PROJECT MORTGAGES

15. Section 241.160 is amended by adding a new paragraph (i) to read as follows:

§ 241.160 Cost certification requirements; loans over \$200,000.

(i) The lump sum and cost plus construction contracts shall contain a provision requiring the general contractor (1) To give a copy of the "Contractor's and/or Mortgagor's Cost Breakdown" to each subcontractor, (2) To inform every subcontractor of each draw under the contract, including the release of any holdback, and (3) When applying for a draw, to submit appropriate receipts and waivers from each subcontractor covering work for the previous draw.

PART 242—MORTGAGE INSURANCE FOR HOSPITALS

16. Section 242.69 is amended by adding a new paragraph (d) to read as follows:

§ 242.69 Construction contracts.

(d) The construction contract shall contain a provision requiring the general contractor: (1) To give a copy of the "Contractor's and/or Mortgagor's Cost Breakdown" to each subcontractor, (2) To inform every subcontractor of each draw under the contract, including the release of any holdback, and (3) When applying for a draw, to submit appropriate receipts and waivers from each subcontractor for work covered by the previous draw.

PART 244—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES (TITLE XI)

17. Section 244.145 is amended by placing the letter (a) before the sentence presently contained in the section and adding a new paragraph (b) to read as follows:

§ 244.145 Form of contract.

(b) The lump sum and cost plus construction contracts shall contain a provision requiring the general contractor: (1) To give a copy of the "Contractor's and/or Mortgagor's Cost Breakdown" to each subcontractor, (2) To inform every subcontractor of each draw under the contract, including the release of any holdback, and (3) When applying for a draw, to submit appropriate receipts and waivers from each subcontractor for work covered by the previous draw.

(Sec. 7(d), Department of HUD Act; 42 U.S.C. 3535(d).)

NOTE.—It is hereby certified that the economic and inflationary impacts of this proposed regulation have been carefully evaluated in accordance with OMB Circular A-107.

Issued at Washington, D.C. August 27, 1976.

JAMES L. YOUNG,
Assistant Secretary for Housing,
Federal Housing Commissioner.

[FR Doc. 76-25784 Filed 9-1-76; 8:45 am]

federal register

THURSDAY, SEPTEMBER 2, 1976



PART IV:

FEDERAL POWER COMMISSION



ANNUAL REPORT OF POWER SYSTEM ENERGY ACCOUNTING, PEAK DEMANDS, AND INTERSYSTEM PURCHASES AND SALES

New FPC Form No. 158

FEDERAL POWER COMMISSION

[18 CFR Part 141]

[Docket No. RM76-31]

ANNUAL REPORT OF POWER SYSTEM ENERGY ACCOUNTING, PEAK DEMANDS, AND INTERSYSTEM PURCHASES AND SALES

New FPC Form No. 158

August 18, 1976.

Notice is hereby given pursuant to the Administrative Procedure Act, 5 U.S.C. 553, and sections 10, 19, 20, 202, 205, 206, 207, 304, 309 and 311 of the Federal Power Act¹, that the Commission proposes to add § 141.69 to Part 141 of the Approved Forms under the Federal Power Act to provide that a new FPC Form No. 158 be required for reporting. The proposed new form would be entitled "Annual Report of Power System Energy Accounting, Peak Demands, and Intersystem Purchases and Sales."

During the period of critical energy needs, such as the nation is currently experiencing, the public interest requires that the Commission have available to it current and continuing information on the operations of electric utilities transmitting and distributing electric energy for sale in interstate commerce. The interests of those electric utilities regulated by the Commission also require efficient and progressive means of regulation.

On September 26, 1973, in Docket No. R-438, the Commission issued Order No. 494, amending Part 2, Chapter I, Title 18 of the Code of Federal Regulations and setting forth Commission policy for the development of a fully automated computer regulatory system to provide such information. When developed and fully operative, the system will provide prompt and ready access to data contained in a central electronic data bank, eliminating the duplication of information now collected and reducing the quantity of existing manual files. This system will not only facilitate the evaluation and analysis of all data, but it will also accommodate the development of new regulatory techniques.

In Order No. 494, the Commission stated that all existing "hard copy" public use forms would be redesigned and consolidated to eliminate redundancies and that instructions for reporting would be clarified by use of Electronic Data Processing (EDP) Technology. Public use form information, as it is currently submitted, will be replaced by the submission of individual data elements within a general data element and code scheme. It is anticipated that this major system revision will result in the reduction of the total number of data items currently transmitted to the Commission by the respondents.

In Order No. 494, the Commission further stated that the development of the automated computer information system would be effected through the use of phased rulemaking proceedings in which various Commission reporting procedures and report forms would be restructured. To this end, Form No. 158 is designed to incorporate into a readily retrievable data processing system some of the information currently submitted on FPC Form Nos. 1², 1F³, 1M⁴, 12⁵, 12A⁶, and 12D⁷.

With the exception of a 10-year load forecast, rather than the 4-year period currently requested, no new data would be required by Form No. 158. However, the new form would eliminate considerable duplicate reporting which now exists for those respondents presently filing both a Form 1 and a Form 12. It would also clarify and refine the energy accounting methods which now differ between the Form 1 and Form 12 by proposing only one method of energy accounting. The present definition of "net energy for system" and the definition of "system" is unchanged in the proposed form. However, the proposed new definition of "net energy for load" would include a more precise and realistic method for accounting for transmission of electricity for or by others, sometimes referred to as "wheeling."

The proposed FPC Form No. 158 would consist of 17 schedules, Schedules 661, 662, 676, 679-684, 708-714, and 856. There would be 14 schedules required to be completed by electric utilities operating systems designated as Type I,⁸ by the Commission. There would be 4 schedules required to be completed by systems designated as Type II or III. One schedule (Schedule 70) may be requested of additional electric utilities whether private, public or Federal, since the schedule collects information on "sales for resale."

Schedule 662 pertains to system dependable capacity at time of expected annual peak load.

Type I—a system for which the operating utility owns, leases, or purchases installed capacity to meet directly that system's total load requirements, as well as any Type II or III system's load requirements by way of contract, either in part or total. The system generally has plans for additional installed capacity to meet its projected load requirements, as well as any Type II or III system's projected requirements. Bulk power transmission systems may also be designated as Type I.

Type II—a system for which the operating utility owns, leases or purchases installed capacity to meet directly that

system's load requirements only in part and generally does not plan additional installed capacity to meet projected total load requirements. These systems may be called "partial requirement customers" of other systems. Small isolated systems may also be designated as Type II.

Type III—a system for which the operating utility does not own, lease, or purchase installed capacity to meet directly any of that system's load requirements. These systems may be called "total requirement customers" of other systems.

Schedule 708 pertains to system net generation by generating type (i.e. gas turbine, steam electric—nuclear, hydroelectric, etc., pumping energy requirements and totals).

Schedules 709 through 712 pertain to system purchases or sales for resale, interchange power, transmission of electricity for or by others, and "borderline customers" receipts and deliveries along with associated revenues, costs or other forms of compensation.

Schedule 713 pertains to ultimate consumer deliveries and system losses.

Schedule 684 pertains to distribution of loads in system service areas and Schedule 856 pertains to the map of the system service areas.

Schedule 714 summarizes by month the system total net generation, energy transfers which are accounted in such a way as to provide the "net energy for system," "net energy for load," and associated peak loads.

Schedules 680 and 681 collect hourly system loads for three specified weeks.

Schedules 661, 676, and 679 pertain to system generation, energy transfers, peak loads reported in considerably less detail for electric utilities with systems designated as Type II or III.

It is anticipated that at least one year of parallel reporting will be required for system evaluation. Assuming successful operation of the new system within such time period, the related schedules within the current FPC Form Nos. 1, 1F, 1M, 12, 12A, and 12D for these respondents would then be eliminated.

All data and information submitted pursuant to this new form would be required to be subscribed and verified by a duly authorized executive officer of the respondent as being factually accurate and complete to the best of his or her knowledge, according to the Commission's rules of practice and procedures (18 CFR Part 1).

It has been contemplated by the Commission that all respondents, in using EDP media, would be required to submit their data on magnetic tape. The Commission now proposes that magnetic tape, in addition to a hard copy of the forms used to create the tape, would be required only from those respondents having over 2,000 MW of installed capacity, and that the manner of the preparation of the tapes be left to the discretion of those respondents. For all other respondents, an original and four copies of each completed Form No. 158 would be required to be filed with the Commission.

² 18 CFR 141.1 (1975).³ 18 CFR 141.2 (1975).⁴ 18 CFR 141.7 (1975).⁵ 18 CFR 141.51 (1975).⁶ 18 CFR 141.52 (1975).⁷ 18 CFR 141.55 (1975).

⁸ Systems are assigned a type designation by FPC depending on the degree with which their electric generation and transmission facilities meet their own requirements, requirements of other systems, and affect the surrounding bulk power supply.

¹ 41 Stat. 1068-1070, 1073, 1074; 49 Stat. 842-844, 848, 849, 851-853, 855, 856, 858, 859; 67 Stat. 461; 82 Stat. 617; 16 U.S.C. 803, 812, 813, 824a, 824d, 824e, 824f, 825c(b), 825c(c), 825h, 825j.

Any interested person may submit to the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, not later than October 18, 1976, data, views, and comments or suggestions in writing concerning all or part of the proposed form. Written submissions will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426, during regular business hours. The Commission will consider all such written submissions before acting on the matters herein proposed. An original and 14 conformed copies should be filed with the Secretary of the Commission. Submissions to the Commission should indicate the name, title, mailing address and telephone number of the person to whom communications concerning the proposals should be addressed and whether the person filing submissions requests a conference with the staff of the Federal Power Commission to discuss the proposed form. The staff, at its discretion, may grant or deny a request for conference prior to or subsequent to the filing of formal submissions.

The proposed amendment to Part 141 of the Commission's Approved Forms under the Federal Power Act would be made pursuant to the authority granted the Commission by the Federal Power Act, as amended, particularly sections 10, 19, 20, 202, 205, 206, 207, 304, 309, and 311.²

Effective for the reporting year 1976, the Commission proposes to amend Part 141, Statements and Reports (Schedules), in Subchapter D—Approved Forms, Federal Power Act, Chapter I, Title 18 of the Code of Federal Regulations by adding a new § 141.69 prescribing new FPC Form No. 158, Annual Report of Power System Energy Accounting, Peak Demands, and Intersystem Purchases and Sales, in the form set out in Attachment A hereto. New § 141.69 will read as follows:

§ 141.69 Form 158, Annual Report of Power System Energy Accounting, Peak Demands, and Intersystem Purchases and Sales.

(a) This form is designed to collect from all electric utilities on a calendar

year basis information on system dependable capacity and generation, inter-system transfers including revenue and costs thereof, "net energy for system" and "net energy for load" by month with associated peak demands, and ultimate consumer deliveries. The form also collects load data on areas within a system, hourly loads for three selected weeks, projected firm purchases and sales, and projected peak loads and energy.

(b) The Form 158 shall be prepared annually and filed with the Commission on or before the 1st of May, and each year thereafter, in such form as is required by said instructions and schedules furnishing the information therein called for, for the preceding calendar year.

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

ATTACHMENT A—ANNUAL REPORT OF POWER SYSTEM ENERGY ACCOUNTING, PEAK DEMANDS AND INTERSYSTEM PURCHASES AND SALES

² Supra, note 1.

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<p>1. <u>Optical Character Recognition (OCR)</u> - All schedules have been designed with OCR requirements as one of the design constraints. This will allow for transition to optical scanning as a future alternative for data entry.</p> <p>2. <u>Separation of Instructions</u> - All instructions are separated from the schedules to which they apply, in order to make efficient use of form space. Instructions consist of three separate levels, as follows:</p> <ul style="list-style-type: none"> • Level I - General (applicable to all schedules). • Level II - General subject (applicable to natural gas operations, electric operations, or financial data). • Level III - Detailed (applicable to individual schedules). <p>3. <u>Separation of Footnotes</u> - Footnotes or other extraneous marks or comments intended to qualify or modify data must not be entered directly on any schedule. The public use schedules have been designed to minimize the need for footnotes through the establishment of distinct data elements which represent some data previously reported as footnotes. However where necessary to make the related data more meaningful, footnotes may be entered on a special footnote schedule designed for this purpose. On the primary data schedules, the respondent must enter only a unique footnote reference number to provide a link to the footnote schedule.</p> <p>4. <u>Reporting Requirements</u> - Reporting frequencies of the new schedules vary from semi-monthly to biennially. For certain schedules, all data must be supplied with each submission. For the other schedules, all data must be supplied with an initial submission, and on subsequent submission of these schedules respondents need report only changes, additions and deletions. These requirements are specifically stated in the Detailed Instructions for each schedule in paragraph 5 under the heading "II. General Information".</p>		

FPC 1-1-111
(1-7-76)

<div style="border: 1px solid black; padding: 2px; text-align: center;"> RIS </div>	<div style="border: 1px solid black; padding: 2px; text-align: center;"> FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM </div>	<div style="border: 1px solid black; padding: 2px; text-align: center;"> 1 of 22 </div>
<p style="text-align: center;"><u>I. ADMINISTRATIVE BACKGROUND</u></p> <p>The Federal Power Commission (FPC) has established an information system designed to improve the decision-making capabilities of the Commission. This program, the Regulatory Information System (RIS), was authorized by Commission Order 494, September 26, 1973, and features the following characteristics and capabilities:</p> <ul style="list-style-type: none"> • A consolidated data collection system designed to eliminate unnecessary or redundant reporting and to provide standardized data collection schedules. • A comprehensive system for transmitting, processing, and accessing data requested of respondents by the Commission. • Establishment of a modern computer facility at Commission headquarters featuring consolidated regulatory data bases and the associated automatic data processing (ADP) equipment and programming software necessary to store, validate, and access that data. <p>These instructions are intended to aid each respondent to understand the scope and objectives of the RIS system regarding source data collection and to provide clear and concise guidance for the completion of the revised public use schedules.</p> <p>A. <u>DATA COLLECTION CONCEPTS</u></p> <p>The FPC public use schedules are designed to be vehicles for data collection, rather than for data display, by the Commission. This objective has guided the design of the layouts and instructions so as to achieve maximum efficiency in both data collection and subsequent processing. Within this basic design philosophy, the public use schedule data collection concept embodies the following design characteristics, some of which are described in greater detail in the subsequent chapters.</p>		

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(1-7-76)

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5. Consolidated Schedules - Many of the public use schedules have been designed to consolidate data previously collected on more than one schedule. The consequence of such consolidation is a reduction in the total number of schedules. Furthermore, portions of some schedules may be inapplicable to certain respondents, as specified in the detailed instructions.

B. APPLICABILITY OF INSTRUCTIONS

The Commission will provide to each respondent all three levels of instructions, appropriate to the type of operation. For example, an electric utility will receive:

- Level I - General Instructions
- Level II - General Subject Instructions (Electric Operating Data)
- Level III - General Subject Instructions (Corporate and Financial Data)
- Level III - Detailed Instructions (Electric Operating Schedules)
- Detailed Instructions (Corporate and Financial Schedules)

Each respondent will also receive footnote schedules (with instructions) and free form (blank) schedules for the submission of narrative or graphic support data that will not be loaded into the Commission's data bases.

As the public use schedules undergo change in future reporting periods through the rulemaking process, modified layouts and instructions will be prepared by the Commission and mailed to the respondents, together with appropriate documentation that describes the authorization and the details of all such changes, additions, or deletions. The Commission will prepare the instructions in a manner suitable for looseleaf binders, so that they can be easily maintained by the respondents.

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II. STANDARD DEFINITIONS

The following standard definitions are provided to aid the respondent in understanding the data collection concepts contained in these instructions.

- A. RESPONDENT - Each corporation, person, agency, authority, or other legal entity or instrumentality, whether public or private, which is required, under the provisions of the Federal Power Act, the Natural Gas Act, or Commission Order, to submit information to the Federal Power Commission via public use forms. Respondents also include those organizations that voluntarily or upon request, provide data to the Commission.
- B. PUBLIC USE SCHEDULE - A collection of functionally related data elements organized and formatted into an arrangement suitable for the collection of data; the instructions for preparation of a schedule are included in this definition.
- C. DATA FIELD - Within a record or schedule, a specific area used for representing a particular data value, i.e., the spaces provided for data entry on a schedule.
- D. DATA ELEMENT - A basic unit of identifiable and definable information. Data elements identify the data fields within a schedule.
- E. DATA ITEM - The expression of a particular value of a data element. In cases where a data element identifies a column or row on a schedule, a data item is a specific entry within the column or row.
- F. LOGICAL ENTRY - A collection of related characteristics, defined by data elements, associated with a specific "key" item of information. For example, "name", "address", "date of incorporation", and "total assets" are all attributes of the key item "company", which is identified by a company code. This entire collection of data elements is called a logical entry. Within the public use schedules, logical entries are blocks of data that may be repeated several times on a page.

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III. GENERAL PROCEDURES FOR SCHEDULE PREPARATION

Many of the public use schedules have been designed so that different types of respondents can use the same basic schedules and instructions for the collection of identical data. For such schedules, the Detailed Instructions explain the unique data preparation requirements applicable to each type of respondent.

A. SCHEDULE SUBMISSION

The Commission will forward annually an appropriate number of copies of each schedule required of the respondent for the given reporting period.

All respondents shall forward the number of copies ordered by the Commission of each public use schedule to the Commission. Respondents submitting schedules on magnetic tape must also submit an attested working copy, appropriately completed, of the supplied schedules from which the tapes were prepared.

The specific report period for each schedule is listed in the General Subject Instructions (Level II) for the natural gas operations, electric operations, or financial data. The reporting period must be entered by the respondent on each schedule. Care must be exercised to ensure that the report period on each schedule (month, day, year) represents the ending date of the period to which the data applies, not the date the schedule was completed.

Prior to forwarding the schedules to the Commission, the respondent must complete Schedule 0100, Index of Public Use Schedules Submitted. A data field-by-data field instruction for Schedule 0100 shall be found in the Level III, Detailed Instructions for this schedule. All schedules should be carefully assembled, packaged, and forwarded to the following address:

Federal Power Commission
835 North Capitol Street, N.E.
Washington, D. C. 20426
Attn: Office of the Secretary

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G. KEY ITEM IDENTIFICATION - A data element that provides a unique reference point for purposes of accessing or retrieving data. Within the public use schedules, the key item(s) uniquely identify groups of related data elements which by definition are logical entries. Normally, key items appear first within a logical entry and must always be completed by the respondent. The Detailed Instructions for each schedule explicitly identify those data elements that are "key".

Other, more specific, definitions of technical and financial data elements are contained in the Level II - General Subject Instructions.

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FEDERAL POWER COMMISSION
825 North Capitol Street, N.E.
Washington, D.C. 20426

ATTESTATION UNDER OATH

This report must be attested to under oath by an officer of the company.

(Insert here the name of the attester)

being first duly sworn according to law, certifies that he is

(Insert here the official legal title of attester)

of (Insert here the exact legal title or name of respondent)

attestation; that he has read this report and is familiar with the contents therein; that to the best of his knowledge, information and belief, all estimates and matters therein set forth are true and correct and the said report is a correct statement of the business and affairs of the above-named respondent in respect to each and every matter set forth therein during the period from and including _____, 19____, to and including _____, 19____.

(Signature of attester)

Subscribed and sworn to before me

_____ day of _____, 19____.

NOTARY PUBLIC

(SEAL)

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FEDERAL POWER COMMISSION
REGULATORY INFORMATION SYSTEM

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B. REPORTING MEDIA

The acceptable media for reporting public use data are magnetic tape with a working copy of the schedules or typed schedules.

Many respondents are capable of preparing the data via magnetic tape and have been directed by the Commission to do so. In addition, the respondent must attach associated attested working copy of the FPC supplied schedules from which the tapes were prepared.

C. SUPPORTING DOCUMENTATION

Additional statements, maps, diagrams, charts or other documentation supportive to the data schedules not otherwise specifically required or provided for should be inserted directly behind the schedules to which they apply. Respondents shall utilize FPC Schedule Number 1000 in all cases except those requiring oversize documents such as large maps. In all cases, the schedule number and page number of the schedule to which the supporting documentation applies must be entered, as well as the reporting period. Supporting documentation must not be stapled to the corresponding schedules.

D. ATTESTATION

The complete set of schedules filed for a given reporting period must be subscribed and verified by the duly authorized executive officer of the respondent, or of one of the respondents where a consolidated schedule is filed, who is qualified and authorized to prepare or supervise the preparation of the schedules and to certify their accuracy, completeness, and truthfulness. Such attestation will be submitted in the format specified in the Attestation Under Oath, displayed in Figure III-1.

Information submitted on magnetic tape must be accompanied by a working copy of each schedule used to create the magnetic tape. A single Attestation Under Oath will apply to all information, regardless of filing medium, submitted in the reporting period.

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E. RESPONDENT COMMENTS AND SUGGESTIONS

The Regulatory Information System represents a significant departure from the previous methods of gathering and using information by the Commission. Like all new systems, areas for improvement will undoubtedly be discovered during actual operation. All respondents are encouraged to supply comments and suggestions to the Commission of specific data collection or schedule design problems.

All questions concerning schedule design, data entry rules, filing requirements, or administrative matters, should be directed to the Office of Regulatory Information Systems at Commission headquarters. The telephone number for inquiries at the Commission is (202) 275-4138.

This telephone number and the schedule mailing address will be the main contact points between the Commission and the respondents for matters relating to the data collection. Questions that cannot be handled directly will be routed to the appropriate bureau or office personnel for resolution.

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IV. RULES FOR DATA PREPARATION

The respondent is instructed to rigorously conform to the following general rules for data entry when preparing the schedules prior to the time that the schedules are forwarded for typing.

A. DATA FIELD LENGTH

Do not exceed the data field lengths allocated for each data element. When the data field size is inadequate, leave the data field blank and enter the true value in a footnote.

B. JUSTIFICATION (DATA POSITIONING)

Right justify every numeric data field; that is, place the data in the right portion of the data field so that no blank spaces follow the last character. Unfilled leading characters should be left blank. All alphabetic data fields must be left justified; that is, they begin at the left boundary of the data field.

C. ALPHABETIC AND NUMERIC

The Detailed Instructions for each schedule define each data field as either alphabetic (A) or numeric (N). The instructions also specify the data field length, including implied decimal positions for fractional numbers. For example, (N7.3) means a numeric field with seven characters to the left and three characters to the right of the implied decimal position. (N6) implies a six digit integer number and (A22) defines a twenty-two character alphabetic data field.

Do not enter alphabetic or special characters in a data field defined to be numeric by the instructions. The only exceptions to this rule are a minus sign or an asterisk, as described later. Numeric data fields must be right-justified and can be preceded by blank spaces. A data field defined as alphabetic may include any

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illustrated by the preceding example of a percentage. For example, never enter 12 1/3 in a schedule; instead enter 12 Δ 333, assuming three decimal positions are requested.

G. SPECIAL CHARACTERS

As illustrated in the preceding section, all of the public use schedules have been designed with preprinted decimal point locators, where applicable. The respondent is specifically requested not to enter dollar signs, decimal points (.), commas (,), parentheses, technical symbols, or any other special characters on the schedules unless called for by the Detailed Instructions. For example, the number \$53,429.48 would be entered as 53429 Δ 48 and the number \$45,237 would be entered as 45237 Δ 00.

H. MULTIPLE PAGES

Multiple pages may often be necessary for the respondent to provide all of the data for a particular schedule. Additional pages may be requested of the Commission at any time. To minimize such requests, the Commission will analyze historical submission patterns and volumes for each schedule and attempt to tailor the number of pages mailed out with the number of pages submitted in the past. Each page of a schedule must be numbered in the upper right hand corner.

I. LISTS OF LEGITIMATE VALUES

A copy of the Register of Data Standards will be made available to each respondent. The Register must be a standard reference tool for personnel completing the schedules to assure valid data entries. Respondent-entered data that is inconsistent with values contained in the Register will be rejected, since validation procedures are also based on the Register.

Normally, the Detailed Instructions will not contain the lists of legitimate values, but will refer to the Register of Data Standards. However, certain data item lists were incorporated directly in the Detailed Instructions for the convenience of the respondent. In these cases the data item list name appears in parenthesis.

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combination of numeric and alphabetic characters. If necessary, words should be abbreviated to fit an alphabetic data field within the allocated space.

D. NEGATIVE ENTRIES

To indicate a negative numeric value, type over the preprinted minus sign in the right-most character of the data field immediately after the last significant digit; for example, 4917- . Positive numbers require no sign within the data fields; simply right-justify the number. Only certain data fields may legitimately contain negative numbers. Those data elements that may be expected to generate negative numbers are identified in the Detailed Instructions and in the schedules, where a character position is reserved for the minus sign, which is printed.

E. NULL ENTRIES

Data fields that are not applicable to a given respondent's situation must be left blank. Do not write in "N/A", or "NONE", or "NO DATA", or any other null response. Numeric data fields that do apply to the respondent but for which the respondent has a legitimate value of zero must be so entered with zero, including all decimal positions. Numeric, alphabetic, or alpha-numeric data fields that do not apply must be left blank.

F. PERCENTAGES AND FRACTIONS

Numeric data fields expressed in percentages may contain a variable number of decimal positions. In the schedules, all decimal points are implied by a preprinted character (Δ) that does not occupy a character position within the data field. For example: NN Δ NN

The fractional portion to the right of the decimal point should always be rounded to the last significant digit. For example, 11 2/3 should be entered as 11 Δ 667. Under no circumstances must a portion of a whole number be expressed in fractional notation for any numeric data field. Rather, use the decimal representation, as

FIG Form 151
(3-76)

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<p>V. DATA MAINTENANCE ACTIVITIES</p> <p>When preparing the public use schedules, the respondent must be familiar with the procedures necessary to modify data on the Commission's data bases and to prepare footnotes, where necessary. These topics are covered in this chapter.</p> <p>A. MODIFICATION OF DATA</p> <p>New data may be entered directly on any of the public use schedules by the respondent. The respondent must be certain that all data fields identified as key by the instructions are properly completed. For each new entry all data must be completed for the initial submission. For subsequent submissions of this data, the following general rules apply.</p> <p>Changes to existing data residing in Commission's data bases can be entered directly on any public use schedule. To determine whether a data element has changed, the respondent is to refer to the data reported for the last submission.</p> <p>For data identified by the Detailed Instructions as periodically required to be submitted, the respondent must completely resubmit all requested data regardless of whether or not the data have actually changed. In other Detailed Instructions subsequent submissions require the respondent to submit only appropriate identification (key data fields) and changed data fields. For this type of data, the Commission maintains only the latest current values in the data base, and the last reported data will continue to be propagated as the current data. To delete the current value of a data element, the respondent must enter an asterisk (*) in the left-most position of the data field, regardless of the numeric or alphabetic nature of the data. The following example illustrates how to delete any single occurrence of a data element:</p>	
<div style="border: 1px solid black; padding: 2px; display: inline-block;"> Data Field Title A </div>	

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<p>The respondent must use the approved values and is also cautioned not to alter the units of measure (e.g., MWh or KW) defined in the Detailed Instructions.</p>
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(5-7)

<div data-bbox="70 1197 115 1955"> <div data-bbox="70 1197 115 1326">RIS</div> <div data-bbox="70 1326 115 1955">FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM</div> </div>	<div data-bbox="177 1197 207 1326">15 of 22</div> <p>To delete a data element in more than one logical entry, an asterisk must be entered by the respondent for each occurrence of the data element.</p> <p>To delete an entire logical entry, a retired generator for instance, the respondent must type a "y" over the preprinted "p" contained to the right of each logical entry and must specify all key items necessary to uniquely identify the logical entry. The Detailed Instructions indicate which data elements are key items. When processed, all of the data for the entire logical entry will be deleted from the data base. No facility is provided for deleting, in a single action, all of the data for an entire respondent or for any major grouping of data above the logical entry level, such as the data for an entire plant. To accomplish major delete actions, the respondent must delete each logical entry separately. If such step-by-step action proves cumbersome for the respondent in view of a major delete action (a plant closure, for example), the respondent should notify the Commission in writing of the delete action and request appropriate steps to update the data bases.</p> <p>B. FOOTNOTES</p> <p>Footnotes cannot be placed directly on any public use data schedule. Instead, a single, separate schedule (FPC Schedule Number 0000) is used for footnote entry. The preparation of a respondent supplied footnote requires entry on both the source schedule and the footnote schedule.</p> <p>All data schedules contain two blocks to signify the presence of a footnote. These footnote indicator data fields are called the General Footnote and the Specific Footnote. The General Footnote data field enables the respondent to supply additional information that pertains to either the entire schedule and/or to a particular column (all occurrences of a data element) within the schedule. The Specific Footnote may be for either a complete logical entry and/or a specific data element within any logical entry.</p> <div data-bbox="1099 1197 1130 1326"> <div data-bbox="1099 1197 1130 1326">15 of 22</div> <div data-bbox="1099 1326 1130 1955">FPC Form 1-1 (2-74)</div> </div>
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<div data-bbox="70 302 115 1060"> <div data-bbox="70 302 115 430">RIS</div> <div data-bbox="70 430 115 1060">FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM</div> </div>	<div data-bbox="177 302 207 430">16 of 22</div> <p>The footnote number must be assigned uniquely and cannot be repeated across schedules. For example, if Schedule 0102 has footnote numbers 014 and 015 assigned, the footnotes for schedule 0103 should begin at 016. The respondent must not number the footnotes starting from 001 for each schedule. All footnote reference numbers throughout all schedules submitted in a single reporting period must have unique numbers.</p> <div data-bbox="1099 302 1130 430"> <div data-bbox="1099 302 1130 430">16 of 22</div> <div data-bbox="1099 430 1130 1060">FPC Form 1-1 (2-74)</div> </div>
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DATA KEYING AND VERIFICATION INSTRUCTIONS				
DATA FIELD	DATA FIELD NAME	COLUMNS FROM TO	NUMBER OF COLUMNS	SPECIAL INSTRUCTIONS
<u>Common Data</u>				
A	Schedule Number	1 4	4	N
B	Page Number	5 8	4	N
C	Line Number	9 10	2	N
D	Record Type (A = first record, B = second record)	11 11	1	A
E	Line Data	12 80	69	

Preprinted at the top left of all schedules
 Printed at top right of all schedules
 Preprinted on left margin of all schedules (even numbers)
 A = First record for line
 B = Second record for line
 Key all data fields and their data field separators. Compress data as described in Keying Instructions.

* A - Alpha
N - Numeric

FIGURE VI-1. DATA KEYING AND VERIFICATION INSTRUCTIONS

 FIG. 100-135
(3-6)

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VI. DATA KEYING AND VERIFICATION INSTRUCTIONS

Data keying may be utilized by respondents who submit data via magnetic tape.

The following keying (and, therefore, verification) instructions apply to all redesigned public use schedules, regardless of actual data content. Keying will produce 80-character records (refer to magnetic tape submission requirements).

Each record must always contain the same control data fields in columns 1-11.

These data fields are:

- Data Field A - Schedule Number (Record Position 1-4)
- Data Field B - Page Number (Record Position 5-8)
- Data Field C - Line Number (Record Position 9-10)
- Data Field D - Record Type (Record Position 11)

Data Keying and Verification Instructions are described in Figure VI-1.

When keying from the Public Use Schedules, follow the general rules given below.

- Data Field A, Schedule Number, (Record Position 1-4) and Data Field B, Page Number, (Record Position 5-8) are obtained from the header area of the schedule. The schedule number is obtained from the upper left corner of the schedule and the page number from the upper right corner of the schedule.

- Data Field C, Line Number (Record Position 9-10) is preprinted to the left of each line in the margin of the schedule (even numbers such as 2, 4, 6, etc. are the only valid entries).

- In Data Field D, (Record Type) an "A" should be keyed in Position 11 of the first record keyed for a line.

- In record positions 12-80 of the record, key all data field separators () and all data that has been filled in by the respondent.

 FIG. 100-135
(3-5)

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o At the end of each line on the schedule, key a line terminator symbol (0).

Note: In some instances, a second record (Record Type B) will be required solely for the line terminator symbol (0).

o Normally, only one record will be required for a line. Should a second record be required for a line, duplicate Positions 1-10 from the "A" record, and key a "B" Position 11 of the second record.

o Do not key data fields which are preprinted, including data field separators.

o Do not key odd numbered lines (i.e., 3, 5, 7, 9, etc.).

o Do not key lines in which the respondent has entered no data.

In the examples shown, a lower case b represents a blank.

A. DATA FIELD CONTENTS

The data keyed into Positions 1-11 of the keyed records is keyed according to the fixed format specified above. But the data keyed in the remainder of the positions of the records (12-80) are keyed in a variable format. That is, leading and trailing blanks in data fields are not keyed. For example, if a ten-position alpha-numeric data field on the schedule contains a single letter, only that letter is keyed:

"Abbb" is keyed "A | "

B. DATA FIELD SEPARATOR (|)

The variable format explained in A above, requires that the sum of each data field (in Positions 12-80) be indicated by following the data field contents with a data field separator symbol (|).

The data field separator is the vertical bar symbol, which is to be represented by a 12-7-8 punch, and a hexadecimal 4F in EBCDIC.

See the example in A above, or those that follow, for illustrations of the use of the data field separator.

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C. LINE TERMINATOR (0)

The end of a schedule line must be represented in the keyed record. The vertical bar (data field separator) following the last data field is to be followed with a line terminator symbol. This can require that a "B" record be keyed to provide the line terminator symbol (0).

The line terminator is the "g" symbol, which is to be represented by a 4-8 punch, and a hexadecimal 7C in EBCDIC.

D. CONTINUATION RECORD

In most cases, one line on a schedule will be represented by one 80-character record, but in some cases two records will be necessary to represent a single schedule line. In the first (or only) record, an "A" is keyed into Position 11. In the continuation record (there will not be more than one per line), after duplicating Positions 1-10 from the "A" record, key a "B" in Position 11 then continue keying from the schedule line. (Note that for two-record lines, Position 80 of the "A" record may occur in the middle of a data field on the schedule.)

E. BLANK LINES

Every data field in a schedule line, including blank data fields, must be represented in the keyed records. For a blank data field, key only a data field separator symbol (|). For example, if the first three data fields on a schedule line were blank they would be represented in the keyed record by three consecutive data field separators (in Positions 12-14).

F. DECIMAL POINTS IN NUMERIC DATA FIELDS

Many numeric data fields contain decimal points, indicated on the schedules by a preprinted Z.. (The only valid indication of a decimal point is the preprinted Z.. Use of a period is an error on the part of the individual filling in the data.) Because it is preprinted, it is not keyed. In order that the data field contents be

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LEVEL II
GENERAL SUBJECT INSTRUCTIONS
FOR
ELECTRIC UTILITY/INDUSTRIAL/LICENSEE SCHEDULES

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APPENDIX 1. List of Electric Utility/Industrial/Licensee Schedules

Schedule Number	Schedule Name
0601	Plant Owner - Operator Data
0602	General Information - Plants
0603	Generating Unit Joint Ownership
0604	Hydroelectric Plant Design Data
0605	Hydroelectric Generating Unit Design Data
0606	Hydroelectric Plant Capability Data
0607	Pumped Storage Plant Design Data
0608	Pumped Storage Generating Unit Design Data
0609	Pumped Storage Plant, Separate Motor Driven Pumps, Design Data
0610	Internal-Combustion and Gas-Turbine Plant Design Data
0611	Internal-Combustion and Gas-Turbine Generating Group Design Data
0612	Steam-Electric Plant Design Data
0613	Steam-Electric Generating Unit Design Data, Turbine Design Data
0614	Steam-Electric Generating Unit Design Data (Generating Data and Cooling Facility)
0615	Boiler Design Data
0616	Common Fuel-Feeders by Boiler
0617	Boilers Served by Fuel-Feeder Systems
0618	Stack Descriptive Data
0619	Boilers Served by Stacks
0620	Stacks Associated with Boilers
0621	Flue-Gas Cleaning Equipment - Design Data
0622	Boilers Served by FGC
0623	Boiler FGC Equipment
0625	Plant Cooling System Characteristics
0626	Plant Cooling Water Source Data
0627	Plant General Water Use Data
0628	Plant Water Treatment Settling Pond Discharge Data
0629	Plant Sewage Effluent Treatment Design Data
0630	Combined Cycle Plant Data
0631	Steam-Electric Plant Capability Data
0632	Small Plant Design Data and Costs
0633	Small Plant Generating Group Design Data
0634	Annual Plant Capacity - Output and Fuel Data
0635	Monthly Power Plant Data
0636	Plant Fuel Cost and Quality Data
0637	Annual Large Plant Fuel Data
0638	Internal-Combustion and Gas-Turbine Plants Costs and Expenses
0641	Hydroelectric Plant Costs and Expenses
0642	Pumped Storage Plant Costs and Expenses
0643	Steam-Electric Plant Costs and Expenses

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Schedule Number	Schedule Name
0644	Small Plant Costs and Expenses
0645	Annual Small Plant Fuel Data
0646	Annual Industrial Power Plant Data
0647	Annual Large Plant Unit Performance Data
0648	Annual Peak Demand Data by Plant
0649	Plant Fuel Consumption and Quality - By Month
0650	Annual Plant Fuel Use and Operation
0651	Monthly Boiler Fuel Consumption and Peak Operation
0652	Boiler Flue-Gas Cleaning Equipment - Operational Data
0653	Chemicals Used in Plant Cooling and Boiler Water
0654	Plant Disposal of Combustion Cycle Products
0655	Plant Combustion Cycle Additives
0656	Annual Plant Environmental Data
0657	Water Temperature and Flow at Seasonal Peaks
0658	Cooling System Operational Data
0659	Plant Projection Data
0660	Plant Capacity and Generating Unit Changes
0661	Annual System Energy Accounting and Peak Load (Small Systems)
0662	System Net Dependable Capacity at Time of Annual Peak
0663	Transmission Line Data
0664	System Substation and Transformer Data
0665	Plant Transformer Design Data
0666	Conversion Apparatus and Special Equipment
0667	Distribution Transformer and Capacitor Data
0668	Electric Watthour Meter Data
0676	System Energy Transactions Between Other Systems (Small Systems)
0679	System Net Generation, Energy Transfers and Peak Loads by Month (Small Systems)
0680	System Load Data for Specified Weeks - AM
0681	System Load Data for Specified Weeks - PM
0682	System Future Changes in Firm Power Transfers
0683	System Energy and Peak Load Forecast
0684	Distribution of System Load in Service Area
0686	All-Electric Home Consumption Data
0687	Community Characteristics for Given Schedules
0688	Rate Schedules Energy Characteristics
0689	All-Electric Homes Customer and Total Bills Data
0690	All-Electric Homes Annual Bills
0691	Typical Net Monthly Bills - Commercial Service
0692	Typical Net Monthly Bills - Residential Service
0693	Typical Net Monthly Bills - Industrial Service
0699	Retail Rate Level Changes
0700	System All-Electric Home Rate Publication Data
0701	Licensed Project Recreation Data - Part I
0702	Licensed Project Recreation Data - Part II
0703	Licensed Project Recreation Data - Part III
0704	Licensed Project Recreation Data - Part IV
0705	Monthly Industrial Power Plant Data

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Schedule Number	Schedule Name
0706	Licensed Project Recreation Data - Part IV
0708	System Generation
0709	System Purchases or Sales for Resale
0710	System Interchange Power
0711	System Transmission of Electricity For or By Others
0712	System Wholesale Receipts and Deliveries
0713	System Ultimate Consumer Deliveries and Losses
0714	System Net Generation, Energy Transferred, and Associated Peak Demand By Month
0852	System Maps and Diagrams
0854	Hydroelectric Storage Reservoir Curves
0855	Hydroelectric Power Plant Diagrams and Curves
0856	Map of Distribution of System Load in Service Area
0857	Steam-Electric Plant One-Line Diagrams

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Type III - a system for which the operating utility does not own, lease, or purchase installed capacity to meet directly any of that system's load requirements. These systems may be called "total requirements customers" of other systems.

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I. GENERAL INFORMATION

These instructions apply to the following schedules:

- Electric system design and operation data
- Electric generating plant design and operation data
- Licensed projects data

The groups of Power System and Generating Plant schedules represent a comprehensive selection of data covering pertinent operational and technical information of the respondents.

Systems are assigned a Type code by FPC depending on the degree with which their electric generation facilities meet their own requirements and the requirements of other systems:

Type I - a system for which the operating utility owns, leases, or purchases installed capacity to meet directly that system's total load requirements as well as any Type II or III system's load requirements by way of contract either in part or in total. The system generally has plans for additional installed capacity to meet its projected load requirements, as well as, Type II or III system's projected requirements. Bulk power transmission systems may also be designated as Type I.

Type II - a system for which the operating utility owns, leases or purchases installed capacity to meet directly that system's load requirements only in part and generally do not plan additional installed capacity to meet projected total load requirements. These systems may be called "partial requirements customers" of other systems. Small isolated systems may also be designated as Type II.

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Subgroup	Respondent Category	Schedule Number(s)	Old FPC Form	Submission Date
Event Submissions				
1	All systems with generation facilities	0601-0605, 0607-0623, 0625-0633, 0665	1, 12, 12A, 12D, 67	May 1st
2	All systems with hydro-electric generation facilities	0606	12	May 1st
Annual Submissions				
1	All systems with generation facilities	0634, 0648, 0660	12	May 1st
2	All systems with generation facilities	0649-0659, 0857	67	May 1st
3	All systems with generation facilities	0647	New	May 1st
4	All systems with generation facilities	0637, 0638, 0641-0645	1, 1F, 1M	May 1st
5	Industrial Plants with installed capacity less than 5 MW	0646	12C	May 1st
Monthly Submissions				
1	All systems with generation facilities	0635	4	10 days after 1st of following month
2	Industrial Plants with installed capacity greater than 5 MW	0705	4	10 days after 1st of following month
3	All systems with generating facilities	0636	423	45 days after 1st of following month

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Subgroup	Respondent Category	Schedule Number(s)	Old FPC Form	Submission Date
Event Submissions				
1	All systems with transmission/distribution facilities	0663, 0664, 0666-0668	1, 1F, 1M, 12	May 1st
2	All utilities serving cities with a population of 2,500 or more	0694	82	Within 60 days of new or changed rate schedule
Annual Submissions				
1	All Type I systems	0662, 0680-0684, 0708-0714, 0832, 0834-0856	1, 1F, 1M, 12, 12A, 12D	May 1st
2	All Type II and III systems	0676, 0713, 0832	1, 1F, 1M, 12, 12A, 12D	May 1st
3	All Type II and III systems with "net energy for system" greater than 5000 MWH for the previous year.	0679	12A	May 1st
4	All Type II and III systems with "net energy for system" less than 5000 MWH for the previous year.	0661	12D	May 1st
5	FPC specified electric utilities	0686-0693, 0699	3, 3A	January 21st

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II. STANDARD DEFINITIONS AND CODES

A. UNIFORM SYSTEMS OF ACCOUNTS

The required submissions will be prepared in conformity with the Uniform Systems of Accounts where applicable for Electric Utilities and Licensees prescribed by the Federal Power Commission, and all accounting words and phrases are to be interpreted in accordance with said classification. If the respondent is not under the jurisdiction of the Commission and does not keep its books in accordance with the above-mentioned Uniform Systems of Accounts, the schedules shall be completed with the actual accounts maintained being substituted, where necessary for the accounts listed.

B. SELECTED DEFINITIONS

The following definitions pertain to the Electric Utilities, Industrial Plant, and Licensee Schedules:

1. Ambient Temperature: The temperature of the surrounding cooling medium, such as gas or liquid, which comes into contact with the heating parts of the apparatus.
2. Border-line Deliveries: Energy delivered by a system to ultimate customers of another system with no "wheeling" involved.
3. Border-line Receipts: Energy received by ultimate customers of a respondent directly from another system for the account of the respondent with no "wheeling" involved.
4. Capability: The capability of a system, plant, or unit is defined as the load-carrying ability at the specified power factor and for the indicated time interval independent of the other characteristics of the load. In general, plant capability is determined by design characteristics; physical condition; adequacy of the prime mover; prime mover steam supply; operational limitations, such as cooling and circulating water supply and temperature, ambient temperature; and head and tailwater elevations.

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LICENSED PROJECT REGISTRATION DATA

Subgroup	Respondent Category	Schedule Number(s)	Old FPC Form	Submission Date
Biennial Submissions	All FPC Licensed Projects	0700-0703, 0706	80	March 1st of each odd numbered year for the two years ending as of December 31st of the previous year

Each schedule is identified by a schedule number and title (see Appendix 1, List of Electric Utility/Industrial/Licensee Schedules.

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5. Demand Interval. The period of time over which the demand is measured. Each system shall report load data on the basis of integrated demands for 60-minute clock-hour intervals. When demand data are not available on this basis, please make adjustments, if possible, to approximate the integrated demand for 60-minute clock-hour intervals; otherwise, report demand interval used.

6. Dependable Capacity. The dependable capacity of a generating plant or group of plants is defined as the load-carrying ability for the time interval and period specified when related to the circumstances of the load to be supplied. In general, a plant's dependable capacity is influenced not only by factors affecting its capability, but by such factors as the duration of the system peak, position on the load curve where the plant is to be operated, and the plant's operating power factor.

7. Electric Respondent. Any electric utility, industrial producer, or other organization ultimately responsible for reporting of electric data to the Federal Power Commission.

8. Electric Plant. A unit or group of units of the same or different generating types considered to be at the same physical site.

9. Electric System. The physically connected generation, transmission, distribution, and other facilities operated as an integral unit under one control, management, or operating supervision.

10. Electric Utility. All enterprises engaged in the production and/or transmission and/or distribution of electricity for use by the public, including investor-owned, cooperatively-owned, government-owned (municipal systems, Federal agencies, state projects, and public power districts); and where the data are not separable, those industrial plants contributing to the public supply.

11. Generating Group. Generating units at one plant may be grouped for a number of reasons: separate powerhouses on the same pond; common header steam plants, gas-turbines

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controlled through a common control house (cubicle), internal-combustion units which are treated as one per group, and similar physical characteristics within generating type for small plants.

12. Generating Type. Internal-combustion, gas-turbine, steam-electric, hydro-electric, and pumped storage, are the basic generating types. Nuclear, geothermal, fossil and waste are treated as fuels for steam-electric. The combined cycle generating type is comprised of steam-electric and gas-turbine types.

13. Generating Unit. A unit consisting of a turbine and an electric generator or a reciprocating engine and an electric generator. There may be more than one turbine or reciprocating engine mechanically coupled to one electric generator but this remains a single unit. A cross-compound steam electric plant consists of two units, since both turbine/generator combinations are mechanically separate.

14. Heat Rate. A measure of generating station thermal efficiency, generally expressed as BTU per net kilowatt-hour. It is computed by dividing the total BTU content of the fuel burned (or of heat released from a nuclear reactor) by the resulting net kilowatt-hours generated.

15. Industrial. Producers having generating plants for the purpose of supplying electric power required in the conduct of their industrial operations. Mining, manufacturing, and stationary plants of railroads and railways for active power is included.

16. Installed Capacity. Total of the capacities as shown by the nameplates of similar kinds of apparatus such as generating units, turbines, synchronous condensers, transformers, or other equipment in a plant, station, or system.

17. Large Generating Type (Large Plant). Steam-electric with installed capacity of 25 MW or greater; or hydroelectric, pumped storage, internal-combustion or gas-turbine each of 10 MW or greater.

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<p>solely to the nature of the water body. Thus, the Mississippi River as a source of water should be reported as "Mississippi River" and <u>NOT</u> as "river water".</p> <p>28. <u>Storage</u>. Those hydroelectric plants whose operations can be varied as desired because of storage at site or above. Such regulation may be weekly, monthly, or seasonal.</p>
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<p>18. <u>Licensee</u>. Any person, State, or municipality licensed under the provisions of Section 4 of the Federal Power Act, and any assignee or successor in interest thereof.</p> <p>19. <u>Load Factor</u>. The ratio of the average load over a designated period to the peak load occurring in that period.</p> <p>20. <u>Municipality</u>. A city, county, irrigation district, drainage district, or other political subdivision or agency of a State competent under the laws thereof to carry on the business of developing, transmitting, utilizing, or distributing power.</p> <p>21. <u>Net Dependable Capacity</u>. Includes dependable capacity of a systems generating plants plus the net of firm power purchases.</p> <p>22. <u>Net Energy for System</u>. The sum of system net generation and energy received from other systems, less the energy delivered to other systems for resale and equal to the sum of system losses, unaccounted for energy, and ultimate consumer sales.</p> <p>23. <u>Other Electric Respondents</u>. Any other person or organization required to report electric plant, system, or licensed project data. A contractual power pool falls in this category.</p> <p>24. <u>Pumping Energy</u>. The energy measured as input to a pumped storage plant for pumping purposes.</p> <p>25. <u>Run-of-river</u>. Those hydroelectric plants whose operation cannot be regulated over a period of more than a few hours, either from storage at site or above, but whose operation is, in general, controlled by the volume of flow which must be utilized as it occurs, or be wasted.</p> <p>26. <u>Small Generating Type (Small Plant)</u>. All steam electric with installed capacity less than 25 MW; or hydroelectric, internal-combustion or gas-turbine each less than 10 MW.</p> <p>27. <u>Source of Water</u>. This refers to the proper name and type of the natural water body from which water is withdrawn for the stated purpose. It is not limited</p>

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<p>B. RESPONDENT ASSIGNED UNIQUE CODING</p> <p>The majority of schedules which require submission of generating plant data call for the use of codes to identify components or groups of components within a plant. Most of the codes defined as "respondent assigned" are to be the respondents commonly used designation if such a designation exists. These codes must be unique within the type of equipment being defined within a plant. If necessary the respondent must assign a new code to establish this uniqueness. If a component (or group of components) is referenced in more than one schedule, it is <u>essential</u> that the same code be used to identify the component (or group of components) on all schedules. It is also necessary that the same code be used in reporting from year to year. Because of this, the respondent must maintain a record of the assigned codes to achieve consistent reporting.</p> <p>Examples of components or groups of components which require respondent assigned codes are shown below:</p> <ul style="list-style-type: none"> - Generating Group I.D. - Generating Unit I.D. - Boiler I.D. - Flue-Gas Cleaning Equipment I.D. - Fuel Feeder I.D. - Stack I.D. - Cooling Facility I.D. - Transformer Bank I.D. <p>Each I.D. above is unique within the generating type except Transformer Bank I.D. which is unique within a plant. For each plant (or given geographic site) there may be one or more generating types (e.g., steam-electric, gas-turbine, etc.). Most of the respondent assigned I.D. codes are for the steam-electric generating type.</p> <p>In a few cases specified in the schedule Detailed Instructions, the respondent is requested to assign numeric sequential codes and maintain these codes from year to year.</p>		

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<p>III. GENERAL INSTRUCTIONS</p> <p>A. GENERATING GROUP CONCEPTS</p> <p>The term "generating group" appears in the schedules in reference to steam-electric, hydroelectric, internal-combustion, gas-turbine, and small plant design data.</p> <ul style="list-style-type: none"> o <u>Steam-Electric Generating Group</u> is defined as those generating units grouped by virtue of being served by a common steam header, or a cross-compound configuration, or the simple case of a single boiler and generating unit combination. Data must be submitted for each generating unit even though some units may be similar in design. o <u>Gas-Turbine and Internal-Combustion Generating Group</u>. For gas-turbine units, a generating group is defined as any collection of gas-turbine generating units that are controlled from the plant control room through a single control house (cubicle). In the case of a single unit having unique characteristics, assign a generating group I.D., then complete the schedule for that unit. Internal-combustion units are reported as a single unit to the group. o <u>Power House Generating Group</u> is defined as those hydroelectric and pumped storage generating units grouped within a single power house at a plant site. Two power houses on the same pond are two groups. The majority of hydro-electric and pumped storage generating units are within only one powerhouse. Grouping of units is <u>not</u> by like unit design and design data must be submitted for each unit. o <u>Small Plant Generating Group</u> is defined as those generating units grouped by virtue of like unit design under all generating types and design data is only submitted once for one unit within the group. A group may contain only one unit. 		

FIG Form 131
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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	1 of 2
	DETAILED INSTRUCTIONS: SCHEDULE 0100 INDEX OF FPC PUBLIC USE SCHEDULES SUBMITTED	

I. DESCRIPTION	
This schedule shall be used to identify the schedules which were submitted by each respondent.	
II. GENERAL INFORMATION	
A. This schedule shall be submitted by all Federal Power Commission respondents.	
B. This schedule shall be completed for each submission of schedules to the Federal Power Commission.	
C. The report period date required on line two of this schedule shall be the final date of the period covered by the submission i.e., if data is reported on a calendar year basis, the date to be reported is December 31, 1976, in the format MMDDYY 123176.	
III. DETAILED INSTRUCTIONS	
The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:	
Data Field Number	Instructions
1	Date Received in Mail Room (N6): This data field is for Federal Power Commission internal processing only. (TMDATE)
2	Date Received in DECC (N6): This data field is for Federal Power Commission internal processing only. (TMDATE)
3 (Key)	Schedule Number (N4): Enter the schedule number of each schedule being submitted in this submission.
4	Schedule Contact Name (A35): Enter the name of the individual to contact about the schedule number reported in data field 3 above. The format for the name is: Last Name, First Name or Initial, Middle Initial. (IDNAME)
5	Schedule Contact Telephone Number (A12): Enter the area code and telephone number, in the format NNN-NNN-NNNN. Be certain to over strike the preprinted hyphens (-).
6	Number of Pages (N4) NO: Enter the number of pages submitted for the schedule reported in data field 3 above.
7	Indicate Primary Reporting Media, Hardcopy or Tape (N1): Enter "1" if hardcopy is being submitted; or enter "2" if tape is being submitted. (INETOR)

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	2 of 2
	DETAILED INSTRUCTIONS: SCHEDULE 0100 INDEX OF FPC PUBLIC USE SCHEDULES SUBMITTED	

Instructions	
Data Field Number	Instructions
8	Name of Attestor: Enter the legal name of the individual who is attesting to the validity of the data content being submitted on each of the schedules reported in data field 3 above. (IDNAME)
9	Signature of Attestor: Enter the attestors legal signature in this data field. (IDNAME)
10	Date of Attestation: Enter the date of attestation, in the format MMDDYY. (TMDATE)

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<p>RES</p> <p>FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM</p>		
<p>DETAILED INSTRUCTIONS: SCHEDULE 0661</p>	<p>ANNUAL SYSTEM ENERGY ACCOUNTING AND PEAK LOAD (SMALL SYSTEMS)</p>	<p>1 of 1</p>

I. DESCRIPTION

This schedule is used to collect data on the annual net generation and load for the system reported.

II. GENERAL INFORMATION

A. This schedule shall be submitted by electric utilities with Type II or III systems with "net energy for system" less than 5,000 megawatt-hours for the previous calendar year.

B. Respondents shall complete all data fields on this schedule annually.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

<u>Data Field Number</u>		<u>Instructions</u>
1 (Key)	System Code (N6):	Enter the code, from the Register of Data Standards, <u>DSYST</u> .
2 (Key)	Annual Net Generation of System Plants (N12) MWH:	Enter the annual net generation of the system plants.
3	Total Energy Received for Resale (N9) MWH:	Enter the total energy received for resale from all sources.
4	Total Energy Delivered for Resale (N9) MWH:	Enter the total energy delivered for resale.
5	Net Energy for System (N9) MWH:	Enter the net energy for system as the sum of data fields 2 and 3 above, less 4.
6	System Peak Load of Year (N6.2) MW:	Enter the system peak load based on "net energy for system", rounded to two decimal places.

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RIS FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM		DETAILED INSTRUCTIONS: SCHEDULE 0662 SYSTEM NET DEFENDABLE CAPACITY AT TIME OF ANNUAL PEAK		1 of 3
<p>This schedule is used to collect data on the dependable and assured capacity of electric systems.</p> <p>I. DESCRIPTION</p> <p>A. Data for this schedule shall be submitted by electric utilities with Type I systems.</p> <p>B. Respondents shall complete all data fields on this schedule annually.</p> <p>The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by the data field numbers.</p>				
Data Field Number 1 (Key)		Instructions System Code (N6): Enter the code, from the Register of Data Standards, <u>INDYST</u> .		
Data Field Number 2 (Key)		Total Dependable Capacity from Plant (N6.2) MW: Enter the net dependable capacity of all plants which are entities of the system listed in data field 1 above. In aggregating this total, take the following factors into account:		
<p>(a) The dependable capacity of the system fuel plants is the net capability of that which can be relied upon to be available for active or standby service at the usual time of the annual system peak. Allowance should be made for any maintenance outage of equipment which MUST be scheduled during the usual time of the annual system peak.</p> <p>(b) The dependable capacity of system conventional hydro plants relates to the capacity which under the most adverse flow conditions of record can be relied upon to carry system load at the usual time of the annual peak, provide dependable reserve capacity, and meet firm power obligations, taking into account seasonal variations and other characteristics of the load to be supplied and of the firm power obligations. Some systems may be able to utilize off-peak energy from other systems so as to increase the dependable capacity of the reporting system conventional hydro plants. Where consideration is given to the off-peak energy which can be secured from others, an explanation of the amount and conditions governing the receipt of such energy should be footnoted. In cases where the stream-flow records indicate that the most adverse flows are not likely to be of very short duration, the figures used in determining the capacity available from conventional hydro plants may be modified, treating such abnormal limitations as an emergency condition to be covered by the reserve</p>				

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RIS FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM		DETAILED INSTRUCTIONS: SCHEDULE 0662 SYSTEM NET DEFENDABLE CAPACITY AT TIME OF ANNUAL PEAK		2 of 3
<p>Data Field Number 2 (cont'd)</p> <p>Instructions</p> <p>capacity. Such modification should be fully explained. Full consideration should be given to data reported in Schedule 0606 for adverse flow conditions in computing the annual dependable system conventional hydro capacity.</p> <p>(c) The dependable capacity of system pumped storage plants is the net capability of that capacity which can be relied upon to carry system load or provide dependable reserve capacity at the usual time of annual system peak taking into account such factors as limitations in plant capability due to reservoir drawdown, the energy equivalent of storage in the upper reservoir, and the available pumping energy on a daily or weekly pumping cycle.</p> <p>Total Available Capacity from Firm Purchases (N6.2) MW: Show amount at the usual time of the respondent's system peak stated in contract; if it is not a single, definite, fixed amount, explain in appended remarks. DO NOT INCLUDE POWER WHICH MIGHT BE AVAILABLE UNDER INTERCHANGE, EMERGENCY, OR "WHEN, AS, AND IF" ARRANGEMENTS. It is desired that corresponding items reported be in agreement as between the affected companies. It is, therefore, suggested that the companies concerned agree upon the figures to be reported.</p> <p>Total Firm Obligation (N6.2) MW: Show the amount of firm power committed or obligated which is intended to be available at the usual time of the respondent's system peak to other systems. Show amount stated in contract; if it is not a single definite, fixed amount, explain under appended remarks. DO NOT INCLUDE OBLIGATIONS UNDER INTERCHANGE, EMERGENCY, OR "WHEN, AS, AND IF" ARRANGEMENTS. It is desired that corresponding items reported be in agreement as between the affected companies. It is, therefore suggested that the companies concerned agree upon the figures to be reported.</p> <p>System Net Dependable Capacity (N6.2) MW: Enter the result of the following calculation - data field 2 plus data field 3, minus data field 4.</p> <p>Total Reserve Capacity Required (N6.2) MW: Show the total amount of reserve capacity, regardless of the source, considered necessary to maintain adequate service at the usual time of the annual system peak, without regard to the relation of net assured capacity to system peak. In general, the largest reduction in dependable capacity which might result from an outage of a generator or boiler unit determines the minimum reserve capacity required if not determined by other methods.</p>				
<p>Data Field Number 3</p> <p>Instructions</p> <p>Total Available Capacity from Firm Purchases (N6.2) MW: Show amount at the usual time of the respondent's system peak stated in contract; if it is not a single, definite, fixed amount, explain in appended remarks. DO NOT INCLUDE POWER WHICH MIGHT BE AVAILABLE UNDER INTERCHANGE, EMERGENCY, OR "WHEN, AS, AND IF" ARRANGEMENTS. It is desired that corresponding items reported be in agreement as between the affected companies. It is, therefore, suggested that the companies concerned agree upon the figures to be reported.</p> <p>Total Firm Obligation (N6.2) MW: Show the amount of firm power committed or obligated which is intended to be available at the usual time of the respondent's system peak to other systems. Show amount stated in contract; if it is not a single definite, fixed amount, explain under appended remarks. DO NOT INCLUDE OBLIGATIONS UNDER INTERCHANGE, EMERGENCY, OR "WHEN, AS, AND IF" ARRANGEMENTS. It is desired that corresponding items reported be in agreement as between the affected companies. It is, therefore suggested that the companies concerned agree upon the figures to be reported.</p> <p>System Net Dependable Capacity (N6.2) MW: Enter the result of the following calculation - data field 2 plus data field 3, minus data field 4.</p> <p>Total Reserve Capacity Required (N6.2) MW: Show the total amount of reserve capacity, regardless of the source, considered necessary to maintain adequate service at the usual time of the annual system peak, without regard to the relation of net assured capacity to system peak. In general, the largest reduction in dependable capacity which might result from an outage of a generator or boiler unit determines the minimum reserve capacity required if not determined by other methods.</p>				
<p>Data Field Number 4</p> <p>Instructions</p> <p>Total Available Capacity from Firm Purchases (N6.2) MW: Show amount at the usual time of the respondent's system peak stated in contract; if it is not a single, definite, fixed amount, explain in appended remarks. DO NOT INCLUDE POWER WHICH MIGHT BE AVAILABLE UNDER INTERCHANGE, EMERGENCY, OR "WHEN, AS, AND IF" ARRANGEMENTS. It is desired that corresponding items reported be in agreement as between the affected companies. It is, therefore, suggested that the companies concerned agree upon the figures to be reported.</p> <p>Total Firm Obligation (N6.2) MW: Show the amount of firm power committed or obligated which is intended to be available at the usual time of the respondent's system peak to other systems. Show amount stated in contract; if it is not a single definite, fixed amount, explain under appended remarks. DO NOT INCLUDE OBLIGATIONS UNDER INTERCHANGE, EMERGENCY, OR "WHEN, AS, AND IF" ARRANGEMENTS. It is desired that corresponding items reported be in agreement as between the affected companies. It is, therefore suggested that the companies concerned agree upon the figures to be reported.</p> <p>System Net Dependable Capacity (N6.2) MW: Enter the result of the following calculation - data field 2 plus data field 3, minus data field 4.</p> <p>Total Reserve Capacity Required (N6.2) MW: Show the total amount of reserve capacity, regardless of the source, considered necessary to maintain adequate service at the usual time of the annual system peak, without regard to the relation of net assured capacity to system peak. In general, the largest reduction in dependable capacity which might result from an outage of a generator or boiler unit determines the minimum reserve capacity required if not determined by other methods.</p>				
<p>Data Field Number 5</p> <p>Instructions</p> <p>Total Available Capacity from Firm Purchases (N6.2) MW: Show amount at the usual time of the respondent's system peak stated in contract; if it is not a single, definite, fixed amount, explain in appended remarks. DO NOT INCLUDE POWER WHICH MIGHT BE AVAILABLE UNDER INTERCHANGE, EMERGENCY, OR "WHEN, AS, AND IF" ARRANGEMENTS. It is desired that corresponding items reported be in agreement as between the affected companies. It is, therefore, suggested that the companies concerned agree upon the figures to be reported.</p> <p>Total Firm Obligation (N6.2) MW: Show the amount of firm power committed or obligated which is intended to be available at the usual time of the respondent's system peak to other systems. Show amount stated in contract; if it is not a single definite, fixed amount, explain under appended remarks. DO NOT INCLUDE OBLIGATIONS UNDER INTERCHANGE, EMERGENCY, OR "WHEN, AS, AND IF" ARRANGEMENTS. It is desired that corresponding items reported be in agreement as between the affected companies. It is, therefore suggested that the companies concerned agree upon the figures to be reported.</p> <p>System Net Dependable Capacity (N6.2) MW: Enter the result of the following calculation - data field 2 plus data field 3, minus data field 4.</p> <p>Total Reserve Capacity Required (N6.2) MW: Show the total amount of reserve capacity, regardless of the source, considered necessary to maintain adequate service at the usual time of the annual system peak, without regard to the relation of net assured capacity to system peak. In general, the largest reduction in dependable capacity which might result from an outage of a generator or boiler unit determines the minimum reserve capacity required if not determined by other methods.</p>				
<p>Data Field Number 6</p> <p>Instructions</p> <p>Total Available Capacity from Firm Purchases (N6.2) MW: Show amount at the usual time of the respondent's system peak stated in contract; if it is not a single, definite, fixed amount, explain in appended remarks. DO NOT INCLUDE POWER WHICH MIGHT BE AVAILABLE UNDER INTERCHANGE, EMERGENCY, OR "WHEN, AS, AND IF" ARRANGEMENTS. It is desired that corresponding items reported be in agreement as between the affected companies. It is, therefore, suggested that the companies concerned agree upon the figures to be reported.</p> <p>Total Firm Obligation (N6.2) MW: Show the amount of firm power committed or obligated which is intended to be available at the usual time of the respondent's system peak to other systems. Show amount stated in contract; if it is not a single definite, fixed amount, explain under appended remarks. DO NOT INCLUDE OBLIGATIONS UNDER INTERCHANGE, EMERGENCY, OR "WHEN, AS, AND IF" ARRANGEMENTS. It is desired that corresponding items reported be in agreement as between the affected companies. It is, therefore suggested that the companies concerned agree upon the figures to be reported.</p> <p>System Net Dependable Capacity (N6.2) MW: Enter the result of the following calculation - data field 2 plus data field 3, minus data field 4.</p> <p>Total Reserve Capacity Required (N6.2) MW: Show the total amount of reserve capacity, regardless of the source, considered necessary to maintain adequate service at the usual time of the annual system peak, without regard to the relation of net assured capacity to system peak. In general, the largest reduction in dependable capacity which might result from an outage of a generator or boiler unit determines the minimum reserve capacity required if not determined by other methods.</p>				

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DETAILED INSTRUCTIONS: SCHEDULE 0662 SYSTEM NET DEPENDABLE CAPACITY AT TIME OF ANNUAL PEAK			3 of 3

Data Field Number	Instructions
7	Reserve Capacity Available - Emergency or Interchange (N6.2) M: Show the total required reserve capacity which is relied upon to be available at the usual time of system peak under interchange, emergency, or similar agreements with others.
8	Reserve Required of Own System (N6.2) M: Enter the result of the following calculation - data field 6 minus data field 7.
9	Net Assured System Capacity (N6.2) M: Enter the result of the following calculation - data field 5 minus data field 8.

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<div style="display: flex; justify-content: space-between;"> <div> RIS FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM DETAILED INSTRUCTIONS: SYSTEM ENERGY TRANSACTIONS BETWEEN OTHER SYSTEMS (SMALL SYSTEMS) SCHEDULE 0676 </div> <div>1 of 2</div> </div>	<p>This schedule is used to collect an itemized accounting of all energy transfers to and from the facilities of other systems during the year, including gross sales, purchases, interchanges and transfers for resale, whether on a firm, interchange, or any other basis and all energy received from industrial companies.</p> <p style="text-align: center;">II. GENERAL INFORMATION</p> <p>A. This schedule shall be submitted by electric utilities with Type II and Type III systems.</p> <p>B. Respondents shall complete all data fields on this schedule annually.</p> <p>C. Report total amounts of energy flow in each direction at each transfer point, i.e., the total amounts "delivered" and the total amounts "received" at each transfer point including energy transferred or displaced through the respondent's facilities for delivery to other systems. Do not report the amounts of energy billed, or net transfers, if they differ from total transfers.</p> <p>By "transfer point" is meant the point at which the reported amounts of energy were transferred to and from the respondent's systems.</p> <p style="text-align: center;">III. DETAILED INSTRUCTIONS</p> <p>The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by the data field number:</p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Data Field Number</th> <th style="text-align: left;">Instructions</th> </tr> </thead> <tbody> <tr> <td>1 (Key)</td> <td>System Code (N6): Enter the code, from the Register of Data Standards, <u>IDSYST</u>.</td> </tr> <tr> <td>2 (Key)</td> <td>Transfer System Name (A35): Enter name of transfer system. (IDNAME)</td> </tr> <tr> <td>3</td> <td>Point of Interconnection (A16): Enter the identification of the interconnection or transfer point. (IDNAME)</td> </tr> <tr> <td>4</td> <td>County Code (N3): Enter the county code, from the Register of Data Standards, <u>IDCNTY</u>.</td> </tr> <tr> <td>5</td> <td>State Abbreviation (A2): Enter the state abbreviation, from the Register of Data Standards, <u>IDSTAT</u>.</td> </tr> </tbody> </table>	Data Field Number	Instructions	1 (Key)	System Code (N6): Enter the code, from the Register of Data Standards, <u>IDSYST</u> .	2 (Key)	Transfer System Name (A35): Enter name of transfer system. (IDNAME)	3	Point of Interconnection (A16): Enter the identification of the interconnection or transfer point. (IDNAME)	4	County Code (N3): Enter the county code, from the Register of Data Standards, <u>IDCNTY</u> .	5	State Abbreviation (A2): Enter the state abbreviation, from the Register of Data Standards, <u>IDSTAT</u> .
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<div style="display: flex; justify-content: space-between;"> <div> RIS FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM DETAILED INSTRUCTIONS: SYSTEM ENERGY TRANSACTIONS BETWEEN OTHER SYSTEMS (SMALL SYSTEMS) SCHEDULE 0676 </div> <div>2 of 2</div> </div>	<table border="1" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Data Field Number</th> <th style="text-align: left;">Instructions</th> </tr> </thead> <tbody> <tr> <td>6</td> <td>Capacity Interconnection (N7) MW: Enter capacity (in MW) of interconnection point.</td> </tr> <tr> <td>7</td> <td>Energy Received (N12) MWH: Electric power received at interconnection point (in megawatt hours).</td> </tr> <tr> <td>8</td> <td>Maximum Power Received (N13) MW: Maximum power received (in megawatts), if known.</td> </tr> <tr> <td>9</td> <td>Energy Delivered (N12) MWH: Electric power delivered at interconnection point (in megawatt hours). Do not report deliveries to industrial customers.</td> </tr> <tr> <td>10</td> <td>Maximum Power Delivered (N13) MW: Maximum power delivered (in megawatts), if known.</td> </tr> <tr> <td>11</td> <td>Voltage (N5) KV: Voltage characteristics of power transfer (in kilovolts).</td> </tr> <tr> <td>12</td> <td>Phase (N1) NO: Enter phase of power transfer, e.g., "1" for single; "3" for three-phase.</td> </tr> <tr> <td>13</td> <td>Frequency (N2) HZ: Enter frequency of power transfer (in Hertz).</td> </tr> </tbody> </table>	Data Field Number	Instructions	6	Capacity Interconnection (N7) MW: Enter capacity (in MW) of interconnection point.	7	Energy Received (N12) MWH: Electric power received at interconnection point (in megawatt hours).	8	Maximum Power Received (N13) MW: Maximum power received (in megawatts), if known.	9	Energy Delivered (N12) MWH: Electric power delivered at interconnection point (in megawatt hours). Do not report deliveries to industrial customers.	10	Maximum Power Delivered (N13) MW: Maximum power delivered (in megawatts), if known.	11	Voltage (N5) KV: Voltage characteristics of power transfer (in kilovolts).	12	Phase (N1) NO: Enter phase of power transfer, e.g., "1" for single; "3" for three-phase.	13	Frequency (N2) HZ: Enter frequency of power transfer (in Hertz).
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RAS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	1 of 1
DETAILED INSTRUCTIONS: SYSTEM NET GENERATION, ENERGY TRANSFERS SCHEDULE 0679 AND PEAK LOADS BY MONTH (SMALL SYSTEMS)		

I. DESCRIPTION

This schedule is used to collect the information concerning energy generation, energy received and energy delivered and system peaks by month.

II. GENERAL INFORMATION

A. This schedule shall be submitted by electric utilities with Type II or Type III systems with "net energy for system" in excess of 5,000 megawatt hours for the previous year.

B. Respondents shall complete all data fields on this schedule annually.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by the data field numbers.

Data Field Number	Instructions
1 (Key)	System Code (N6): Enter the code, from the Register of Data Standards, <u>IDSYST</u> .
2 (Key)	Month (N2): Enter the proper month code, i.e., January - 01, February - 02, etc., from the Register of Data Standards, <u>TMMOYR</u> .
3 (Key)	Net Generation (N5.2) MWH: Enter the system net generation (in megawatt hours) for each month.
4	Peak Demand (N5.2) MW: Enter the peak demand on system plant (in megawatts) for each month at the time of system peak.
5	Energy Received (N5.2) MWH: Enter the amount of energy (in megawatt hours) received from others.
6	Energy Delivered (N5.2) MWH: Enter the amount of energy (in megawatt hours) delivered to others for resale.
7	Net Energy for System (N5.2) MWH: Enter the amount of net energy (in megawatt hours) for the system (data field 3 plus data field 5 minus data field 6).
8	Monthly Peak Load (N5.2) MW: Enter the system peak load by month (in megawatts), based on net energy for system in data field 7 above.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM
	SYSTEM LOAD DATA FOR SPECIFIED WEEKS - AM
DETAILED INSTRUCTIONS: SCHEDULE 0680	1 of 2

I. DESCRIPTION	
<p>This schedule is used to collect the 60-minute integrated megawatt demand for each clock-hour from 1:00 AM to Noon of the days specified in this schedule, determined from coincident demands as follows:</p> <p>(a) Combined net demand on all system generating plants</p> <p>(b) Plus: Power received from other systems and industrial companies, excluding borderline receipts</p> <p>(c) Minus: Power delivered for resale to each Type I system that obtained a part of its power supply during the year from its own generating facilities or from systems other than the respondent's.</p> <p>(d) Total net demand for load data (a) plus (b) minus (c).</p> <p>Note that power delivered by the respondent to another Type II or Type III system and deliveries to ultimate consumers of another system is included in the respondent's system load for purposes of this schedule.</p> <p>Where integrated demands for 60-minute clock-hour intervals are not available, it is desired that available data be adjusted to approximate the integrated demand for 60-minute clock-hour intervals.</p>	
II. GENERAL INFORMATION	
<p>A. This schedule shall be submitted by electric utility respondents filing for all Type I designated systems.</p> <p>B. Respondents shall complete all data fields on this schedule annually.</p> <p>C. This schedule is used to collect information by clock-hour for three weeks - the first full weeks in April, August, and December. Data field 13 is tabular for each of the seven days in the week with hour numbers preprinted in data field 11, a 24-hour clock is used with hours 01 through 12 appearing in this data field. Two schedules are thus required to report one week's data 0680 and 0681. A coded entry in data field 2 will identify the week being reported.</p>	
III. DETAILED INSTRUCTIONS	
<p>The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by the data field number:</p>	
Data Field Number	Instructions
1 (Key)	System Code (N6): Enter the code, from the Register of Data Standards, <u>IDSYST</u> .

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM
	SYSTEM LOAD DATA FOR SPECIFIED WEEKS - AM
DETAILED INSTRUCTIONS: SCHEDULE 0680	2 of 2

Data Field Number	Instructions
2 (Key)	Week (A1): One-character code for week reported. First full week in April will be "1", August will be "2", and December will be "4". (TMSNYR)
3	Demand Interval (N2): Report demand interval, in minutes, as specified in the Register of Data Standards, <u>TDMIN</u> .
4	Time Zone (A3): Enter abbreviation, from the Register of Data Standards, <u>IDTMZN</u> .
5	Begin Date DST (N2): If the system operated on daylight saving time during the year, give beginning date of the daylight saving time period, e.g., 03 for third. (NRORDL)
6	End Date DST (N2): Enter end date of above period, e.g., 10 for tenth. (NRORDL)
7	Readings in DST (N3): If, for any reason, daylight savings time does not encompass an entire week, report the first hourly reading in DST. Identify the reading by the number of the weekday and the hour of the day, e.g., if the first reading is 3 AM Monday, enter 203. (TMDWHR)
8	Begin Date (N2): Enter the first day of the week being reported, e.g., 01 for first. (NRORDL)
9	End Date (N2): Enter end date of above period. (NRORDL)
10	Indicate Unusual Conditions (N1): If unusual conditions (storms, floods, industrial disturbances, etc.) greatly affected the system load characteristics during the week reported, place a "1" in this field; enter "0" for no unusual conditions. Report dates and briefly describe these conditions in a footnote entry. All footnotes should be recorded according to the procedures outlined in the General Instructions. (INYNON)
11 (Key)	Hour (N2): This data field will be preprinted with clock hours 01 through 12. Clock hours 13-24 are reported on schedule 0681. (TMDRDT)
12 (Key)	Day of Week/Integrated Demand (N9) MW: Enter demand for each day, by clock hours.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
	DETAILED INSTRUCTIONS: SCHEDULE 0681	1 of 2

SYSTEM LOAD DATA FOR SPECIFIED WEEKS - PM	
I. DESCRIPTION	
<p>This schedule is used to collect the 60-minute integrated megawatt demand for each clock-hour from 1:00 PM to midnight of the days specified in this schedule, determined from coincident demands as follows:</p> <ul style="list-style-type: none"> (a) Combined net demand on all system generating plants (b) Plus: Power received from other systems and industrial companies, excluding borderline receipts (c) Minus: Power delivered for resale to each Type I systems that obtained a part of its power supply during the year from its own generating facilities or from systems other than the respondent's (d) Total net demand for load data (a) plus (b) minus (c). <p>Note that power delivered by the respondent to another Type II or Type III systems is included in the respondent's system load for purposes of this schedule.</p> <p>Where integrated demands for 60-minute clock-hour intervals are not available it is desired that available data be adjusted to approximate the integrated demand for 60-minute clock-hour intervals.</p>	
II. GENERAL INFORMATION	
<p>A. This schedule shall be submitted by electric utilities filing for all Type I systems.</p> <p>B. Respondents shall complete all data fields on this schedule annually.</p> <p>C. This schedule is used to collect information by clock-hour for three weeks - the first full weeks in April, August, and December. Data field 13 is tabular for the seven days in the week with hour numbers preprinted in data field 11, a 24-hour clock is used with hour 13 through 24 appearing in this data field. Two schedules are thus required to report one week's data, 0680 and 0681. A coded entry in data field 2 will identify the week being reported.</p>	
III. DETAILED INSTRUCTIONS	
<p>The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by the data field number:</p>	
Data Field Number	Instructions
1 (Key)	System Code (N6): Enter the code, from the Register of Data Standards, <u>IDSYST</u> .
2 (Key)	Week (A1): One-character code for week reported. First full week in April will be "1", August will be "2", and December will be "4". (TMSNYE)

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
	DETAILED INSTRUCTIONS: SCHEDULE 0681	2 of 2

SYSTEM LOAD DATA FOR SPECIFIED WEEKS - PM	
Instructions	
Data Field Number	Instructions
3	Demand Interval (N2): Report demand interval in minutes, as specified in the Register of Data Standards, <u>TYDMIN</u> .
4	Time Zone (A3): Enter the abbreviation, from the Register of Data Standards, <u>IDTMZN</u> .
5	Begin Date DST (N2): If the system operated on daylight savings time during the year, give beginning date of the daylight savings time period, e.g., 03 for third. (NRORDL)
6	End Date DST (N2): Enter end date of above period, e.g., 10 for tenth. (NRORDL)
7	Readings in DST (N3): If, for any reason, daylight savings time does not encompass an entire week, report the first hourly reading in DST. Identify the reading by the number of the weekday and the hour of the day, e.g., if the first reading is 11 PM, Monday, enter 223. (TMDWHR)
8	Start Date (N2): Enter the first day of week being reported, e.g., 01 for first. (NRORDL)
9	End Date (N2): Enter end date of above period. (NRORDL)
10	Indicate Unusual Conditions (N1): If unusual conditions (storms, floods, industrial disturbances, etc.) greatly affected the system load characteristics during the week reported, place a "1" in this field; enter "n" for no unusual conditions. Report dates and briefly describe these conditions in a footnote entry. All footnotes should be recorded according to the procedures outlined in the General Instructions. (INTONO)
11 (Key)	Hour (N2): This field will be preprinted with clock hours 13 through 24. Clock hours 01-12 are reported on Schedule 0680. (TMDWHR)
12 (Key)	Day of Week/Integrated Demand (N9) MW: Enter the demand for each day, by clock hours.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
	DETAILED INSTRUCTIONS: SYSTEM FUTURE CHANGES IN FIRM POWER TRANSFERS SCHEDULE 0682	1 of 1

<p>I. DESCRIPTION</p> <p>This schedule is used to collect the data concerning contemplated changes in firm power contracts with other systems.</p> <p>II. GENERAL INFORMATION</p> <p>A. This schedule shall be submitted by electric utilities with Type I designated systems.</p> <p>B. Respondents shall complete all data fields on this schedule annually.</p> <p>III. DETAILED INSTRUCTIONS</p> <p>The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by the data field number:</p>	
<p><u>Data Field Number</u></p> <p>1 (Key)</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p>	<p><u>Instructions</u></p> <p>System Code (N6): Enter the code, from the Register of Data Standards, IDSYST.</p> <p>Type Change (A4): Enter the code for the type of change from the following list: (TYCNST)</p> <p>NWCT - New contract CHCT - Change in existing contract TUCT - Termination of contract</p> <p>Name of Other System (A35): Enter the name of the other system to the firm power contract. (IDNAME)</p> <p>Start Date (N4): Enter the month (two-digit numeric code) and year (last two digits of the year) when the contract becomes effective, in the format MMYY. (TMMYYR)</p> <p>Complete Date (N4): Enter the month (two-digit numeric code) and year (last two digits of the year) when the contract terminates. (TMMYYR)</p> <p>Dependable Capacity (N6.2) MW: Enter (in megawatts) the net dependable capacity of new or existing contracts or changes in net dependable capacity of existing contracts.</p>

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
	DETAILED INSTRUCTIONS: SYSTEM ENERGY AND PEAK LOAD FORECAST SCHEDULE 0683	1 of 1

<p>I. DESCRIPTION</p> <p>This schedule is used to collect the data concerning estimates of system's power requirements for the summer and winter month during which the seasonal peak load occurs.</p> <p>II. GENERAL INFORMATION</p> <p>A. This schedule shall be submitted by electric utilities with Type I designated systems.</p> <p>B. Respondents shall complete all data fields on this schedule annually.</p> <p>C. Furnish estimates of system's power requirements for the next ten calendar years. Each year will have two lines of data for two seasons (summer and winter).</p> <p>III. DETAILED INSTRUCTIONS</p> <p>The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by the data field number:</p>	
<p><u>Data Field Number</u></p> <p>1 (Key)</p> <p>2 (Key)</p> <p>3 (Key)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p>	<p><u>Instructions</u></p> <p>System Code (N6): Enter the code, from the Register of Data Standards, IDSYST.</p> <p>Year (N2): Enter the last two digits of the year, the same year will be repeated on the next line for winter season data. (TMYEAR)</p> <p>Season (N1): Code for the season will be preprinted (i.e., Summer - "2" and Winter - "4", for the same year). (TMSNYR)</p> <p>Month (N2): Enter the code for the month of peak (i.e., January - 01, August - 08), from the Register of Data Standards, TMMOYR.</p> <p>Net Generation (N12) MWH: Enter the "net generation for load" (in megawatt hours). This will be a one time occurrence for the year.</p> <p>Peak Load (N9.1) MW: Enter the seasonal peak load (in megawatts) for data field 3.</p> <p>Load Factor (N3.2) PCT: Enter the annual load factor (in per cent). This will be reported one time for the year.</p>

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	DETAILED INSTRUCTIONS: SCHEDULE 0684	2 of 2

Data Field Number	9	Instructions
Percentage of Distribution (N3) PCT: Enter percentage of distribution to appropriate category in data field 8 above.		

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	06/24/76
	DETAILED INSTRUCTIONS: SCHEDULE 0684	1 of 2

I. DESCRIPTION		
This schedule is used to collect information on the distribution of the system load within the geographical territory served by the system. This information should be furnished on the basis used by respondent in maintaining load distribution data, such as by primary substations, operating divisions, communities, metropolitan areas, industrial areas, or other areas, in which the annual energy consumption was 10 per cent of the system total or 10,000 MWH, whichever is greater.		
II. GENERAL INFORMATION		
A. This schedule shall be submitted by electric utilities with Type I designated systems.		
B. Respondents shall complete all data fields on this schedule annually.		
III. DETAILED INSTRUCTIONS		
The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by the data field number:		
Data Field Number	Instructions	
1 (Key)	System Code (N6): Enter the code, from the Register of Data Standards, IDSYSE.	
2 (Key)	Designation of Area (A20): Indicate whether primary substation, operating division, or community and provide name. (IDDESC)	
3	Map Tie-In Number (N2): Enter the unique numeric sequential code (01-99) assigned by the respondent to this designated area and used to identify the designated area on the associated map on Schedule 0856. (NRCA01)	
4	Annual MWH (N11) MWH: Total energy distributed (in megawatt hours) in this area.	
5	Peak Demand (N5.2) MW: Peak demand (in megawatts) of the area during report period.	
6	Peak Date (N4): Date of peak demand in data field 5 above, in the format MMDD. (TMDATE)	
7	Load Factor (N5) PCT: Enter annual load factor, calculated as specified in the Level II Instructions.	
8 (Key)	Type Distribution (A3): This will be preprinted with the following types of distribution: Farm, Nonfarm Residential, Commercial, Industrial, and Other (in loads, losses) (TVERSV) Note: The sum of data field 8 must equal data field 4 above.	

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RIS FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM		FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0708		SYSTEM GENERATION	
1 of 2		2 of 2	

I. DESCRIPTION	
This schedule is used to collect information on electric energy generated within a system during the year.	
II. GENERAL INFORMATION	
A. This schedule shall be submitted by all electric utilities operating Type I systems.	
B. Respondents shall complete all data fields on this schedule annually.	
III. DETAILED INSTRUCTIONS	
The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:	
Data Field Number	Instructions
1 (Key)	System Code (N6): Enter the system code for the system being reported upon, from the Register of Data Standards, I.D.S.I.S.I.
2	Steam Electric - Fossil (N9) MWH: Enter the net generation (excluding plant use) for the system indicated in data field 1 above, produced by fossil-fueled steam electric units.
3	Steam Electric - Nuclear (N9) MWH: Enter the net generation (excluding plant use) for the system indicated in data field 1 above, produced by nuclear fueled steam electric units.
4	Steam Electric - Geothermal (N9) MWH: Enter the net generation (excluding plant use) for the system indicated in data field 1 above, produced by geothermal fueled steam electric units.
5	Conventional Hydroelectric (N9) MWH: Enter the net generation (excluding plant use) for the system indicated in data field 1 above, produced by conventional hydroelectric generating units.
6	Pumped Storage Hydroelectric (N9) MWH: Enter the net generation (excluding plant use) for the system indicated in data field 1 above, produced by pumped storage hydroelectric generating units. Do not include pumping energy requirements.
7	Gas-Turbine (N9) MWH: Enter the net generation (excluding plant use) for the system indicated in data field 1 above, produced by gas-turbine generating units.
8	Internal Combustion (N9) MWH: Enter the net generation (excluding plant use) for the system indicated in data field 1 above, produced by internal combustion generation units.

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RIS FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM		FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0708		SYSTEM GENERATION	
1 of 2		2 of 2	

Data Field Number	Instructions
9	Other Generation Types (A15): Enter a description of other generation types not covered by data fields 2 through 8 above. (IDDESC)
10	Other Amount (N9) MWH: Enter the amount of generation (excluding plant use) produced by the generation types described in data field 9 above.
11	Total Generation (N9) MWH: Enter the total generation (excluding plant use) produced by the system identified in data field 1 above. This should equal the sum of values in data fields 2 through 8 and 10 above.
12	Pumping Energy Requirements (N9) MWH: Enter the total amount of energy used for pumping by the system identified in data field 1 above.
13	Total Net Generation (N9) MWH: Enter the total net generation (total generation without plant use, the value in data field 11 above, minus pumping energy, the value in data field 12 above) for the system being reported.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
	DETAILED INSTRUCTIONS: SCHEDULE 0709	2 of 3

Data Field Number	Instructions
6	Type of Receiving System (N1): This data field should be blank for Account 555.00. For Account 447.00, enter the appropriate code from the following list: (TYOFST) 1 = Type I 2 = Type II 3 = Type III
7	Power Classification (N1): Enter the appropriate code, from the Register of Data Standards, <u>TYFCL</u> .
8	Import - Export Code (A1): Enter one of the following codes: (TYINTC) 0 = Transaction within a state S = Transaction across a state line I = Transaction across an international boundary
9	Name of Transmittal System (A35): Enter the name of the transmitting system if wheeled by a third party. (IDNAME)
10	FPC Rate Schedule Number (A11): Enter the FPC assigned rate schedule number, if one exists, from the Register of Data Standards, <u>IDRATE</u> .
11	Substation Transfer Point (A16): Enter the name of the substation where energy is received or delivered. (IDDESC)
12	County Point of Transfer (N3): Enter the county coded for the county in which the substation in data field 11 above is located, from the Register of Data Standards, <u>IDCFI</u> .
13	State Point of Transfer (A2): Enter the state abbreviation for the state in which the substation in data field 11 above is located, from the Register of Data Standards, <u>IDSTAL</u> .
14	Substation Ownership Indicator (N1): Enter the code, from the following set, which indicates who owns the substation where the energy exchange takes place. (INETOR) 1 = Respondent owned or leased 2 = Other party owned or leased
15	Units for Demand Data (A4): Enter the unit of measure for the next three data fields. Data may be reported in MW or MVA (MW is preferred). The same units must be used for all three data fields (16, 17 and 18). Enter MW or MVA as appropriate. (TYUNMS)

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
	DETAILED INSTRUCTIONS: SCHEDULE 0709	1 of 3

Data Field Number	Instructions
1 (Key)	System Code (N6): Enter the respondent's system code, from the Register of Data Standards, <u>IDSYST</u> .
2 (Key)	Account Number (N3.2): Enter one of the following values: 555.00 = Account number for purchases for resale 447.00 = Account number for sales for resale
3 (Key)	Transaction ID (N2): Enter the respondent assigned numeric sequential code, beginning with 01, for each transaction (purchase or sale) for each account reported in data field 2 above. (NRCADL)
4	Name of Other System (A35): Enter the name of the purchaser for Account 447.00 or seller for Account 555.00. (IDNAME)
5	Classification of Other System (N1): Enter one of the following codes defining the classification of the purchaser or seller. (TYUTKL) 1 = Associated utilities 2 = Non-associated utilities 3 = Associated non-utilities 4 = Other non-utilities 5 = Municipalities 6 = Cooperatives 7 = Other Public Authorities

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RIS		FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0709		SYSTEM PURCHASES OR SALES FOR RESALE	
		3 of 3	

Data Field Number	Instructions
16	Contract Demand (N5.2) NO: Enter the amount of maximum demand specified in the power contract as a basis of billing.
17	Average Monthly Maximum Demand (N5.2) NO: Enter the average monthly maximum demand based on monthly readings, whether or not used in the determination of demand charges.
18	Annual Maximum Demand (N5.2) NO: Enter the annual amount of maximum demand based on monthly reading, whether or not used in the determination of demand charges.
19	Type of Demand Reading (N2): Enter one of the following two digit codes: (TYDMIN) 00 = Instantaneous 15 = 15 minutes 30 = 30 minutes 60 = 60 minutes
20	Voltage at Transaction Point (N4.1) KV: Enter the amount of voltage at which energy was received or delivered.
21	Annual Energy Metered (N8.2) MWH: Enter the amount of energy metered in this transaction.
22	Annual Energy Billed (N8.2) MWH: Enter the amount of energy billed in this transaction.
23	Demand Charges (N10) DOL: Enter the appropriate revenue or cost.
24	Energy Charges (N10) DOL: Enter the appropriate revenue or costs.
25	Other Charges (N10) DOL: Enter the appropriate revenue or cost.
26	Total Charges (N10) DOL: Enter the appropriate revenue or cost.
27	Monies per KWH (N2.3) CTS: Enter cost per KWH for purchases and revenue per KWH for sales.

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FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM		FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0710		SYSTEM INTERCHANGE POWER	
SCHEDULE 0710		2 of 2	
Data Field Number	Instructions		
6 (cont'd)	0 = Interchange within a state S = Interchange across a state line I = Interchange across an international boundary		
7	FPC Rate Schedule Number (A11): Enter the FPC assigned rate schedule number, from the Register of Data Standards, <u>IDRATE</u> .		
8	Interchange Substation (A16): Enter the respondent's commonly used designation for the interchange substation. (IDDESC)		
9	Interchange County (N3): Enter the county in which the substation defined in data field 8 above is located, from the Register of Data Standards, <u>IDCNTY</u> .		
10	Interchange State (A2): Enter the state abbreviation for the state in which the substation defined in data field 8 above is located, from the Register of Data Standards, <u>IDSTAT</u> .		
11	Voltage at Interchange (N4.1) KV: Enter the voltage at the interchange point.		
12	Gross Energy Receipts (N8.2) MWH: Enter the gross energy received in MWH.		
13	Gross Energy Deliveries (N8.2) MWH: Enter the gross energy delivered in MWH.		
14	Net Difference (N8.2) MWH: Enter the net difference between the power received and the power delivered.		
15	Amount of Settlement (N10) DOL: Enter the amount of settlement charges or net charge or credit resulting from an interchange power agreement.		
16	Non-Monetary Settlement Terms (A65): Enter an explanation of non-monetary settlement terms. (IDDESC)		

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FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM		FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0710		SYSTEM INTERCHANGE POWER	
SCHEDULE 0710		1 of 2	
<p>I. DESCRIPTION</p> <p>This schedule is used to collect data on interchange power for the year where the dollar amounts are included in Account 555.00.</p> <p>II. GENERAL INFORMATION</p> <p>A. This schedule shall be submitted by all electric utilities operating Type I systems.</p> <p>B. Respondents shall complete all data fields on this schedule annually.</p> <p>III. DETAILED INSTRUCTIONS</p> <p>The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:</p>			
Data Field Number	Instructions		
1 (Key)	System Code (N6): Enter the system code for the system being reported, from the Register of Data Standards, <u>IDSYST</u> .		
2 (Key)	Interchange ID (N2): Enter a respondent assigned numeric sequential code, beginning with 01, to define the interchange of power being reported. (NRCADL)		
3	Name of Other System (A35): Enter the name of the system involved in interchange of power with the system defined in data field 1 above. (IDNAME)		
4	Classification of Other System (N1): Enter one of the following codes defining the classification of the other system: (TYUTRL) 1 = Associated utilities 2 = Non-associated utilities 3 = Associated non-utilities 4 = Other non-utilities 5 = Municipalities 6 = Cooperatives 7 = Other public authorities		
5	Type of Other System (N1): Enter the appropriate code for the type of other system from the following list: (TYOFST) 1 = Type I 2 = Type II 3 = Type III		
6	Import/Export Code (A1): Enter one of the following codes: (TYINTC)		

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RIS FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM DETAILED INSTRUCTIONS: SYSTEM TRANSMISSION OF ELECTRICITY SCHEDULE 0711 FOR OR BY OTHERS		1 of 3																
<p>I. DESCRIPTION</p> <p>This schedule is used to collect information on transmission of energy for the year by the respondent's system for others and transmission of energy by another system for the year for the respondent's supplying system. This transmission is commonly termed "wheeling".</p> <p>II. GENERAL INFORMATION</p> <p>A. This schedule shall be submitted by all electric utilities operating Type I systems.</p> <p>B. Respondents shall complete all data fields on this schedule annually.</p> <p>III. DETAILED INSTRUCTIONS</p> <p>The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number. This schedule has been designed to collect data for Accounts 456.00 and 565.00. The instructions have been generalized for this purpose.</p> <table border="1"> <thead> <tr> <th>Data Field Number</th> <th>Instructions</th> </tr> </thead> <tbody> <tr> <td>1 (Key)</td> <td>System Code (N6): Enter the system code, from the Register of Data Standards, IDSYST.</td> </tr> <tr> <td>2 (Key)</td> <td>Account Number (N3.2): Enter "456.00" when reporting transmission for others and "565.00" when reporting transmission by others. (ACCTML)</td> </tr> <tr> <td>3 (Key)</td> <td>Transmission ID (N2): Enter the respondent assigned numeric sequential code, beginning with 01, for each transmission reported for each account indicated in data field 2 above. (NRCADL)</td> </tr> <tr> <td>4</td> <td>Name of Other System (A35): For Account 456.00, enter the name of the supplying system, or for Account 565.00, enter the name of the wheeling system. (IDNAME)</td> </tr> <tr> <td>5</td> <td>Classification of Other System (N1): Enter one of the following codes defining the classification of the other system. (TUTRL)</td> </tr> <tr> <td></td> <td> 1 = Associated utilities 2 = Non-associated utilities 3 = Associated non-utilities 4 = Other non-utilities 5 = Municipalities 6 = Cooperatives 7 = Other public authorities </td> </tr> <tr> <td>6</td> <td>Import-Export Code (A1): Enter one of the following codes: (TINVC)</td> </tr> </tbody> </table>			Data Field Number	Instructions	1 (Key)	System Code (N6): Enter the system code, from the Register of Data Standards, IDSYST.	2 (Key)	Account Number (N3.2): Enter "456.00" when reporting transmission for others and "565.00" when reporting transmission by others. (ACCTML)	3 (Key)	Transmission ID (N2): Enter the respondent assigned numeric sequential code, beginning with 01, for each transmission reported for each account indicated in data field 2 above. (NRCADL)	4	Name of Other System (A35): For Account 456.00, enter the name of the supplying system, or for Account 565.00, enter the name of the wheeling system. (IDNAME)	5	Classification of Other System (N1): Enter one of the following codes defining the classification of the other system. (TUTRL)		1 = Associated utilities 2 = Non-associated utilities 3 = Associated non-utilities 4 = Other non-utilities 5 = Municipalities 6 = Cooperatives 7 = Other public authorities	6	Import-Export Code (A1): Enter one of the following codes: (TINVC)
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RIS FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM DETAILED INSTRUCTIONS: SYSTEM TRANSMISSION OF ELECTRICITY SCHEDULE 0711 FOR OR BY OTHERS		2 of 3																												
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Data Field Number	Instructions																													
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RIS		FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM DETAILED INSTRUCTIONS: SYSTEM TRANSMISSION OF ELECTRICITY SCHEDULE 0711 FOR OR BY OTHERS	3 of 3
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Data Field Number	Instructions
19	County Code (N3): Enter the county code indicating the location of the substation identified in data field 18 above, from the Register of Data Standards, <u>INDNLI</u> .
20	State Abbreviation (A2): Enter the state abbreviation indicating the location of the substation identified in data field 18 above, from the Register of Data Standards, <u>IDSTAT</u> .

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RAS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
	SYSTEM BORDERLINE RECEIPTS AND DELIVERIES	
DETAILED INSTRUCTIONS: SCHEDULE 0712		2 of 2

Data Field Number	Instructions
6	Compensation (N8) DOL: For Account 557.00, enter the dollar amount of compensation to the system in data field 4 above and for Account 456.00, enter the dollar amount of compensation received from the system in data field 4 above.
7	Non-monetary Compensation (A70): Explain non-monetary compensation involved in this transaction. (IDDESC)

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RAS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
	SYSTEM BORDERLINE RECEIPTS AND DELIVERIES	
DETAILED INSTRUCTIONS: SCHEDULE 0712		1 of 2

Data Field Number	Instructions
1 (Key)	System Code (N6): Enter the system code, from the Register of Data Standards, IDSYST.
2 (Key)	Borderline Account Code (N3.2): Enter "557.00" when reporting borderline receipts and "456.00" when reporting borderline deliveries. (ACCTNL)
3 (Key)	Transaction ID (N2): Enter a two digit unique sequential number, assigned by the respondent, identifying each transaction being reported within the account identified in data field 2 above. (NRCADL)
4	Name of Other System (A35): For Account 557.00, borderline receipts, enter the name of the system supplying energy to the borderline customers of the respondent's system identified in data field 1 above. For Account 456.00, borderline deliveries, enter the name of the system whose borderline customers receive energy from the respondent's system identified in data field 1 above. (IDNAME)
5	Annual Energy (N5.2) MWh: For Account 557.00, borderline receipts, enter the amount of energy provided by the system in data field 4 above to the respondent's customers of the system identified in data field 1 above. For Account 456.00, enter the amount of energy delivered by the respondent's system in data field 1 above to the customers of the system identified in data field 4 above.

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<div style="display: flex; justify-content: space-between;"> <div> RIS FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM </div> <div> FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM SYSTEM ULTIMATE CONSUMER DELIVERIES AND LOSSES </div> </div>		1 of 2
DETAILED INSTRUCTIONS: SCHEDULE 0713		

Data Field Number	Instructions
1 (Key)	System Code (N6): Enter the system code, from the Register of Data Standards, IDSYST.
2	Energy Furnished Without Charge (N12) KWH: Enter the amount of energy furnished without charge.
3	Energy Used Without Plant Use (N12) KWH: Enter the amount of energy used by the utility exclusive of plant use. Note: Pumping energy is reported on Schedule 0708.
4	Total End Use Deliveries (N12) KWH: Enter the total end use deliveries (Total Ultimate Deliveries of data field 9A, plus Energy Furnished Without Charge, data field 2, plus Energy Used Without Plant Use, data field 3).
5	Transmission Losses (N12) KWH: Enter energy losses through transmission.
6	Distribution Losses (N12) KWH: Enter energy losses through distribution.

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

I. DESCRIPTION

This schedule is used to collect data on energy delivered to ultimate consumers of the respondent's system for the year. This excludes borderline deliveries to other system's ultimate consumers but includes borderline receipts to the respondent system's ultimate consumers as well as deliveries to respondent's ultimate consumers where there are "wheeling" arrangements.

II. GENERAL INFORMATION

A. This schedule shall be submitted by all electric utilities for all Type I, Type II, and Type III systems.

B. Respondents shall complete all data fields on this schedule annually.

C. The energy use classifications of Irrigation and Drainage Pumping, and Electrified Transportation are further defined or clarified:

Irrigation and Drainage Pumping - Estimates should be furnished for this classification if exact information is not available.

Electrified Transportation - Energy supplied for the propulsion of cars, locomotives or coaches. Energy for office buildings, depots, shops, signal lights, etc., should be reported under "Commercial" or "Industrial", as appropriate.

III. DETAILED INSTRUCTIONS


The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

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<div style="display: flex; justify-content: space-between;"> <div> RIS FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM </div> <div> FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM SYSTEM ULTIMATE CONSUMER DELIVERIES AND LOSSES </div> </div>		2 of 2
DETAILED INSTRUCTIONS: SCHEDULE 0713		

Data Field Number	Instructions
7	Unaccounted for Energy (N12) KWH: Enter all losses of energy which are otherwise unaccounted.
8	Net Energy for System (N12) KWH: Enter value computed as sum of values reported in data fields 4, 5, and 6 above; Total End Use Deliveries, Transmission Losses, and Distribution Losses.
9A	Type Sales (A30): This is a preprinted data field describing type of sales for which number of customers and energy delivered are requested. (TYERSV)
9B	Type Code (A3): This is a preprinted data field containing an identifying code to be used by the FPC relevant to the reported data. (TYERSV)
10	Number of Customers at End of Year (N8): Enter the number of customers at the end of the year associated with the type of sale identified in data field 9A above. This figure is not required for Total Ultimate Delivery. (NRCADL)
11	Delivered (N12) KWH: Enter the energy delivered for the type of sales identified in data field 9A above. The value for the preprinted "Total Ultimate Delivery" is defined as the sum of all previous data field 11 values.

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		FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM DETAILED INSTRUCTIONS: SYSTEM NET GENERATION, ENERGY TRANSFERRED SCHEDULE 0714 AND ASSOCIATED PEAK DEMAND BY MONTH 1 of 2																			
<p>I. DESCRIPTION</p> <p>This schedule is used to collect information on system net generation, energy transfer totals, "net energy for system" and "load" and associated peak demands by month for the year.</p> <p>A. This schedule shall be submitted by all electric utilities with Type I systems.</p> <p>B. Respondents shall complete all data fields on this schedule annually.</p> <p>III. DETAILED INSTRUCTIONS</p> <p>The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:</p> <table border="1"> <thead> <tr> <th>Data Field Number</th> <th>Instructions</th> </tr> </thead> <tbody> <tr> <td>1 (Key)</td> <td>System Code (N6): Enter the system code, from the Register of Data Standards, <u>IDSYST</u>.</td> </tr> <tr> <td>2</td> <td>Annual Peak Load Demand Interval (N2): Enter the peak load demand interval code, from the Register of Data Standards, <u>TYDIN</u>.</td> </tr> <tr> <td>3 (Key)</td> <td>Month Code (N2): Enter the two digit numeric code for the month, i.e., January = 01, March = 03, etc., from the Register of Data Standards, <u>MOOFYR</u>.</td> </tr> <tr> <td>4</td> <td>Net Generation (N9) MWh: Enter the monthly value for net generation. The annual total for this value is reported on Schedule 0708 in data field 11.</td> </tr> <tr> <td>5</td> <td>Peak Demand (N6) Mw: Enter the value of the peak demand on plants at the time of the peak load which is to be reported in data fields 13 and 14 below.</td> </tr> <tr> <td>6</td> <td>Other Sources (N9) MWh: Enter the sum of all gross energy received during the reporting month from purchase for resales, interchange of power, before wheeling for others, after wheeling by others and borderline receipts.</td> </tr> <tr> <td>7</td> <td>Intersystem Deliveries (N9) MWh: Enter the sum of all gross energy delivered during the reported month for sales for resale, interchange power, after wheeling for others, before wheeling by others and borderline deliveries.</td> </tr> <tr> <td>8</td> <td>Net Energy for System (N9) MWh: Enter net energy for system. This value is defined as being the value in data field 4 above plus the value in data field 6 above less the value in data field 7 above. The 12-month total should equal the total of all deliveries on Schedule 0713.</td> </tr> </tbody> </table>				Data Field Number	Instructions	1 (Key)	System Code (N6): Enter the system code, from the Register of Data Standards, <u>IDSYST</u> .	2	Annual Peak Load Demand Interval (N2): Enter the peak load demand interval code, from the Register of Data Standards, <u>TYDIN</u> .	3 (Key)	Month Code (N2): Enter the two digit numeric code for the month, i.e., January = 01, March = 03, etc., from the Register of Data Standards, <u>MOOFYR</u> .	4	Net Generation (N9) MWh: Enter the monthly value for net generation. The annual total for this value is reported on Schedule 0708 in data field 11.	5	Peak Demand (N6) Mw: Enter the value of the peak demand on plants at the time of the peak load which is to be reported in data fields 13 and 14 below.	6	Other Sources (N9) MWh: Enter the sum of all gross energy received during the reporting month from purchase for resales, interchange of power, before wheeling for others, after wheeling by others and borderline receipts.	7	Intersystem Deliveries (N9) MWh: Enter the sum of all gross energy delivered during the reported month for sales for resale, interchange power, after wheeling for others, before wheeling by others and borderline deliveries.	8	Net Energy for System (N9) MWh: Enter net energy for system. This value is defined as being the value in data field 4 above plus the value in data field 6 above less the value in data field 7 above. The 12-month total should equal the total of all deliveries on Schedule 0713.
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		FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM DETAILED INSTRUCTIONS: SYSTEM NET GENERATION, ENERGY TRANSFERRED SCHEDULE 0714 AND ASSOCIATED PEAK DEMAND BY MONTH 2 of 2																	
<table border="1"> <thead> <tr> <th>Data Field Number</th> <th>Instructions</th> </tr> </thead> <tbody> <tr> <td>9</td> <td>System Peak (N6) Mw: Enter the system peak based on the value computed for data field 8 above, Net Energy for System.</td> </tr> <tr> <td>10</td> <td>Intersystem Deliveries (In-loads) (N9) MWh: Enter the sum of all gross energy delivered during the reported month from sales for resale to Type II and Type III systems, interchange power to Type II and Type III systems, borderline deliveries and less borderline receipts.</td> </tr> <tr> <td>11</td> <td>Net Energy for Load (N9) MWh: Enter net energy for load which is defined as the sum of values stored in data fields 8 and 10 above.</td> </tr> <tr> <td>12</td> <td>Peak Load (N6) Mw: Enter the peak load based upon the value computed for data field 11 above.</td> </tr> <tr> <td>13</td> <td>Day of Peak Load (N2): Enter the day of the month when peak load reported in data field 12 above occurred. (NRCADL)</td> </tr> <tr> <td>14</td> <td>Hour of Peak Load (N2): Enter the hour of the day, i.e., 2 P.m. as 14, of the peak load reported in data field 12 above. (THREPY)</td> </tr> <tr> <td>15</td> <td>Minimum Monthly Load (N6) Mw: Enter the value of the minimum monthly load based upon the net energy for load reported in data field 11 above.</td> </tr> </tbody> </table>				Data Field Number	Instructions	9	System Peak (N6) Mw: Enter the system peak based on the value computed for data field 8 above, Net Energy for System.	10	Intersystem Deliveries (In-loads) (N9) MWh: Enter the sum of all gross energy delivered during the reported month from sales for resale to Type II and Type III systems, interchange power to Type II and Type III systems, borderline deliveries and less borderline receipts.	11	Net Energy for Load (N9) MWh: Enter net energy for load which is defined as the sum of values stored in data fields 8 and 10 above.	12	Peak Load (N6) Mw: Enter the peak load based upon the value computed for data field 11 above.	13	Day of Peak Load (N2): Enter the day of the month when peak load reported in data field 12 above occurred. (NRCADL)	14	Hour of Peak Load (N2): Enter the hour of the day, i.e., 2 P.m. as 14, of the peak load reported in data field 12 above. (THREPY)	15	Minimum Monthly Load (N6) Mw: Enter the value of the minimum monthly load based upon the net energy for load reported in data field 11 above.
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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
	DETAILED INSTRUCTIONS: MAP OF DISTRIBUTION OF SYSTEM LOAD IN SERVICE AREA SCHEDULE 0856	1 of 2

I. DESCRIPTION

This schedule is used to collect information on the distribution of the system load within the geographical territory served by the system. This information should be furnished on the basis used by respondent in maintaining load distribution data, such as by primary substations, operating divisions, communities, metropolitan areas, industrial areas, or other areas, in which the annual energy consumption was 10 percent of the system total or 10,000 MWh, whichever is greater.

II. GENERAL INFORMATION

- A. This schedule shall be submitted by electric utilities with Type I designated systems.
- B. This schedule shall be submitted with appropriate maps on the initial submission for a system. Thereafter, it shall be submitted annually with appropriate maps showing changes that have occurred during the reporting period, or indicating that no changes have occurred.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

Instructions

Data Field Number

- 1 (Key) System Code (N6): Enter the system code, from the Register of Data Standards, IDSYST.
- 2 System Name (A35): Enter the system name, from the Register of Data Standards, IDSYST.

Note: A "1" must be entered in one and only one of the following data fields (3, 4 or 5) below:

- 3 Indicator Initial Submission (N1): Enter "1" if this is the initial submission of data for the system indicated in data field 2 above; if not, enter "0". (INYONO)
- 4 Indicator Annual Submission With Changes (N1): Enter "1" if this is an annual submission of data with changes to previously submitted information; if not, enter "0". (INYONO)
- 5 Indicator Annual Submission Without Changes (N1): Enter "1" if this is an annual submission of data without changes from that previously submitted data (in this case the material associated with data field 6 below may be omitted); if not, enter "0". (INYONO)

FPC Form 131
(5-76)

R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
	DETAILED INSTRUCTIONS: MAP OF DISTRIBUTION OF SYSTEM LOAD IN SERVICE AREA SCHEDULE 0856	2 of 2

Instructions

Data Field Number

- 6 System Land In Service Area Maps: Provide a sketch map showing the location and the approximate boundary of each of these areas. Each location or designation of area is to be identified by a map tie-in number. This number must match the one entered in data field 3 on Schedule 0684. If this information is provided on the map submitted with Schedule 0852, so indicate.

FPC Form 131
(5-76)

FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM		2 of 2
FOOTNOTES TO PPC PUBLIC USE SCHEDULES		
	<u>Instructions</u>	
1 (Key)	Schedule Number (N4): Enter the number of the schedule on which the footnote reference number was assigned, e.g., 0501 or 0505.	
2 (Key)	Footnote Number (N3): Enter the unique footnote reference number from 001-999 for each particular submission.	
3 (Key)	Reference Identification (A3): Enter "GEN" for Type 1a and 2a footnotes, i.e., footnotes that apply to the entire schedule (or to an entire logical entry) or enter the appropriate data field number for the specific data field value being footnoted (Type 1b or 2b).	
4 (Key)	Line Sequence Number (N2): Enter 01, 02 etc., for each successive line of text.	
5 (Key)	System Code (N6): This data field applies only to Electric respondents reporting data by system. Enter the six digit number code for the system, from the Register of Data Standards, <u>IDSVST</u> .	
6 (Key)	Plant ID (N5): This data field applies only to Electric respondents reporting data by plant. Enter the five digit numeric code for the plant, from the Register of Data Standards, <u>IDPLNT</u> .	
7 (Key)	Project Development Code (A5): This data field applies only to Electric respondents reporting data by license projects. Enter the five digit numeric code for the license project, from the Register of Data Standards, <u>IDDPRL</u> .	
8	Text (A72): Enter the text of the footnote. Use successive lines as required for text. Repeat Data Fields 1-3, 5 or 6 as applicable, and increment Data Field 4 (line Sequence Number) by 1.	

PPC Form 131
(7-16)

<div style="border: 1px solid black; padding: 2px; font-weight: bold; font-size: 1.2em;">RIS</div>	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	1 of 2
DETAILED INSTRUCTION: SCHEDULE 0000	FOOTNOTES TO FPC PUBLIC USE SCHEDULES	

I. DESCRIPTION

This schedule is used to collect the text for all footnote references for a respondent submission.

II. GENERAL INFORMATION

- A. This schedule shall be submitted when applicable by all respondents for reporting footnotes to FPC Public Use Schedules.
- B. The footnote reference numbers must be unique within a particular submission.
- C. The respondent has to indicate two major types of footnotes.
 1. General Footnote - The General Footnote can refer to either the entire schedule or one data field on the schedule, i.e. all data which is reported for data field 5 on the schedule not just one specific value for data field 5.
 2. Specific Footnote - The Specific Footnote can refer either to an entire logical entry, i.e. group of related data which separates as an entity on a schedule or a data item within the logical entry.

The following entries are provided as an example:

Type Footnote	Data Field 2 (Footnote No.)	Data Field 3 (Ref. ID)
1. General Footnote		
a. Entire schedule	001	GEN
b. All data values for data field 5 entries on this schedule	001	005
All data values for data field 6 entries on this schedule	001	006
2. Specific Footnote		
a. Entire logical entry	002	GEN
b. Data item entry	002	004
	002	006
	002	008

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number.

RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM		
	DETAILED INSTRUCTIONS: SCHEDULE 1000	SUPPORTING DOCUMENTATION	1 of 1

I. DESCRIPTION

This schedule is used to collect schedule related supporting documentation not required by the Public Use Schedules.

II. GENERAL INFORMATION

- A. This schedule shall be submitted by any Federal Power Commission respondent who desires to provide supportive documentation or any additional information relating to the Public Use Schedules.
- B. This schedule shall be completed only as deemed necessary by the respondent or where specifically requested by detailed instructions for other schedules.

FEDERAL POWER COMMISSION / REGULATORY INFORMATION SYSTEM
REGISTER OF DATA STANDARDS

DATA ITEM LIST MNEMONIC: ID, FPC RATE SCHEDULES
DATA ITEM LIST TITLE: ID, FPC RATE SCHEDULES
DATA ITEM LIST DESCRIPTION: IDENTIFIES FPC RATE SCHEDULES IN ONE OF THREE SERIES: ELECTRIC POWER (11 CHAR), GAS PIPELINE (11 CHAR), NATURAL GAS PRODUCER (9 CHAR).
DATA ITEM LIST SOURCE: (FORMATTING RULES TO BE DEVELOPED)
DATA ITEM LIST CODE ABBREVIATION

FEDERAL POWER COMMISSION / REGULATORY INFORMATION SYSTEM
REGISTER OF DATA STANDARDS

DATA ITEM LIST MNEMONIC: ID, COUNTIES OF THE US.
DATA ITEM LIST TITLE: ID, COUNTIES OF THE US.
DATA ITEM LIST DESCRIPTION: IDENTIFIES THE COUNTIES OF THE US, COUNTIES, AS FIRST ORDER SUBDIVISIONS OF MOST STATES, ARE CONSIDERED SYNONYMOUS WITH PARISH, BOROUGH, OR CENSUS DIVISION USED IN OTHERS. FOR PIS USE, THIS LIST IS SUPPLEMENTED WITH NATURAL GAS OFFSHORE AREAS.
DATA ITEM LIST SOURCE: FIPS PUB 6-2, SEP 15, 1973 AND FPC
DATA ITEM LIST CODE ABBREVIATION
OFFSHORE, STATE 00990
OFFSHORE, FEDERAL 00995
OFFSHORE, GENERAL 00999
OFFSHORE, ZONE 1, LOUISIANA 22991
OFFSHORE, ZONE 2, LOUISIANA 22992
OFFSHORE, ZONE 3, LOUISIANA 22993
OFFSHORE, ZONE 4, LOUISIANA 22994

PAGE: IDCNTY-1

FEDERAL POWER COMMISSION / REGULATORY INFORMATION SYSTEM
REGISTER OF DATA STANDARDS

DATA ITEMS

DATA ITEM LIST MNEMONIC: IDSYST
DATA ITEM LIST TITLE: ID, ELECTRIC POWER SYSTEMS
DATA ITEM LIST DESCRIPTION: IDENTIFIES ELECTRIC POWER SYSTEMS REPORTED TO THE FPC.
DATA ITEM LIST SOURCE: FPC STAFF
DATA ITEM LIST (TO BE FURNISHED BY BUREAU OF POWER) CODE ABBREVIATION

PAGE: IDSYST-1

FEDERAL POWER COMMISSION / REGULATORY INFORMATION SYSTEM
REGISTER OF DATA STANDARDS

DATA ITEMS

DATA ITEM LIST MNEMONIC: IDSTAT
DATA ITEM LIST TITLE: ID, STATES OF THE UNITED STATES
DATA ITEM LIST DESCRIPTION: IDENTIFIES THE 50 STATES, THE DISTRICT OF COLUMBIA, AND THE OUTLYING AREAS OF THE US, ALL OF WHICH ARE CONSIDERED FIRST ORDER SUBDIVISIONS OF THE US.
DATA ITEM LIST SOURCE: FIPS PUB 5-1, JUN 15, 1970
DATA ITEM LIST CODE ABBREVIATION

FEDERAL POWER COMMISSION / REGULATORY INFORMATION SYSTEM
REGISTER OF DATA STANDARDS

DATA ITEMS

DATA ITEM LIST MAEMONIC: LCCOOR
DATA ITEM LIST TITLE: LOCATION, GEOGRAPHICAL COORDINATES
DATA ITEM LIST DESCRIPTION: DESIGNATES A POINT ON THE SURFACE OF THE EARTH BY THE ANGLE EAST OR WEST OF GREENWICH AND NORTH OR SOUTH OF THE EQUATOR. THE FORMAT IS: DDMMSSN.DDDMMSSW WHERE D=DEGREES, M=MINUTES, AND S=SECONDS OF NORTH LATITUDE AND WEST LONGITUDE.

DATA ITEM LIST SOURCE: ANSI X3L8/196 (DRAFT)
DATA ITEM LIST CODE
DATA ITEM LIST ABBREVIATION

FEDERAL POWER COMMISSION / REGULATORY INFORMATION SYSTEM
REGISTER OF DATA STANDARDS

DATA ITEMS

DATA ITEM LIST MAEMONIC: IDTMZN
DATA ITEM LIST TITLE: ID, TIME ZONES OF THE US
DATA ITEM LIST DESCRIPTION: IDENTIFIES GEOGRAPHICAL ZONES OF THE US WITHIN WHICH THE SAME STANDARD TIME IS USED. DAYLIGHT TIME, WHEN IMPLEMENTED, IS ADVANCED ONE HOUR FROM STANDARD TIME.

DATA ITEM LIST SOURCE: ANSI X3L8/188 (DRAFT)
DATA ITEM LIST CODE
DATA ITEM LIST ABBREVIATION
ATLANTIC DAYLIGHT TIME ADT
NEMFOUNDLAND STANDARD TIME NST
EASTERN DAYLIGHT TIME EDT
ATLANTIC STANDARD TIME AST
CENTRAL DAYLIGHT TIME CDT
EASTERN STANDARD TIME EST
MOUNTAIN DAYLIGHT TIME MDT
CENTRAL STANDARD TIME CST
PACIFIC DAYLIGHT TIME PDT
MOUNTAIN STANDARD TIME MST
YUKON DAYLIGHT TIME YDT
PACIFIC STANDARD TIME PST
ALASKA-HAWAII DAYLIGHT TIME ADT
YUKON STANDARD TIME YST
BERING DAYLIGHT TIME BDT
ALASKA-HAWAII STANDARD TIME HST
BERING STANDARD TIME BST

DATA ITEMS

DATA ITEM LIST MAEMONIC: TYDMIN
 DATA ITEM LIST TITLE: TYPE OF DEMAND INTERVAL
 DATA ITEM LIST DESCRIPTION: INDICATES THE PERIOD OF TIME DURING WHICH ELECTRIC ENERGY FLOW IS AVERAGED TO DETERMINE DEMAND.
 DATA ITEM LIST SOURCE: FPC STAFF
 DATA ITEM LIST ABBREVIATION: INST, 15MN, 30MN, 60MN
 DATA ITEM LIST CODE: 00, 15, 30, 60

DATA ITEMS

DATA ITEM LIST MAEMONIC: TMMOYR
 DATA ITEM LIST TITLE: TIME, MONTH OF YEAR
 DATA ITEM LIST DESCRIPTION: IDENTIFIES THE MONTHS OF YEAR ACCORDING TO THE CIVIL(GREGORIAN) CALENDAR. FOR RLS USE, AN UNSPECIFIED MONTH ENTRY HAS BEEN ADDED.
 DATA ITEM LIST SOURCE: FIPS PUB 4, NOV 1, 1968
 DATA ITEM LIST ABBREVIATION: UNS, JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV, DEC
 DATA ITEM LIST CODE: 00, 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12
 DATA ITEM LIST UNUSUAL: JANUARY, FEBRUARY, MARCH, APRIL, MAY, JUNE, JULY, AUGUST, SEPTEMBER, OCTOBER, NOVEMBER, DECEMBER

FEDERAL POWER COMMISSION / REGULATORY INFORMATION SYSTEM

-REGISTER OF DATA STANDARDS

DATA ITEMS

DATA ITEM LIST MNEMONIC:	TYPE OF POWER CLASSIFICATION	INDICATES THE TYPE OF ELECTRIC POWER FURNISHED BY CIRCUMSTANCES UNDER WHICH DELIVERED.	FPC STAFF	CODE	ABBREVIATION
DATA ITEM LIST TITLE:				1	FP
DATA ITEM LIST DESCRIPTION:				2	FPC
DATA ITEM LIST SOURCE:				3	FPP
				4	OP
				9	OTH

DATA ITEM LIST

FIRM POWER SUPPLYING TOTAL SYSTEM REQUIREMENTS OF CUSTOMER OR TOTAL REQUIREMENTS AT A SPECIFIC POINT OF DELIVERY

FIRM POWER SUPPLYING TOTAL SYSTEM REQUIREMENTS OF CUSTOMER OR TOTAL REQUIREMENTS WITH CREDIT ALLOWED CUSTOMER FOR AVAILABLE STANDBY

FIRM POWER SUPPLEMENTING CUSTOMERS OWN GENERATION OR OTHER PURCHASES

DUMP POWER

OTHER

PAGE: TYPMCL-1

SAMPLE

INDEX OF FPC PUBLIC USE SCHEDULES SUBMITTED		PAGE	OF
RESPONDENT CODE	RESPONDENT NAME	REPORT PERIOD	GENERAL
01			
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FPC SCHEDULE REVISED

SAMPLE

ANNUAL SYSTEM ENERGY ACCOUNTING AND PEAK LOAD (SMALL SYSTEMS)		PAGE	OF
RESPONDENT CODE	RESPONDENT NAME	REPORT PERIOD	GENERAL
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FPC SCHEDULE REVISED

PROPOSED RULES

SAMPLE

		SYSTEM NET DEPENDABLE CAPACITY AT TIME OF SYSTEM PEAK				PAGE OF 	
		RESPONDENT CODE	RESPONDENT NAME	GENERAL FOOTNOTES		SPECIFIC FOOTNOTES	
01	SYSTEM CODE	0001	0001				
02		1. TOTAL AVAILABLE CAPACITY - FROM PURCHASE	2. TOTAL FROM DELIGHTS	3. SYSTEM NET DEPENDABLE CAPACITY			
03		4. TOTAL RESERVE CAPACITY REQUIRED	5. RESERVE AVAILABLE - INTERFERED BY EMERGENCY	6. RESERVE REQUIRED BY THIS SYSTEM	7. NOT ASSURED SYSTEM CAPACITY		
04		8. TOTAL SYSTEM NET DEPENDABLE CAPACITY					
05	SYSTEM CODE	0002	0002				
06		1. TOTAL AVAILABLE CAPACITY - FROM PURCHASE	2. TOTAL FROM DELIGHTS	3. SYSTEM NET DEPENDABLE CAPACITY			
07		4. TOTAL RESERVE CAPACITY REQUIRED	5. RESERVE AVAILABLE - INTERFERED BY EMERGENCY	6. RESERVE REQUIRED BY THIS SYSTEM	7. NOT ASSURED SYSTEM CAPACITY		
08		8. TOTAL SYSTEM NET DEPENDABLE CAPACITY					
09	SYSTEM CODE	0003	0003				
10		1. TOTAL AVAILABLE CAPACITY - FROM PURCHASE	2. TOTAL FROM DELIGHTS	3. SYSTEM NET DEPENDABLE CAPACITY			
11		4. TOTAL RESERVE CAPACITY REQUIRED	5. RESERVE AVAILABLE - INTERFERED BY EMERGENCY	6. RESERVE REQUIRED BY THIS SYSTEM	7. NOT ASSURED SYSTEM CAPACITY		
12		8. TOTAL SYSTEM NET DEPENDABLE CAPACITY					
13	SYSTEM CODE	0004	0004				
14		1. TOTAL AVAILABLE CAPACITY - FROM PURCHASE	2. TOTAL FROM DELIGHTS	3. SYSTEM NET DEPENDABLE CAPACITY			
15		4. TOTAL RESERVE CAPACITY REQUIRED	5. RESERVE AVAILABLE - INTERFERED BY EMERGENCY	6. RESERVE REQUIRED BY THIS SYSTEM	7. NOT ASSURED SYSTEM CAPACITY		
16		8. TOTAL SYSTEM NET DEPENDABLE CAPACITY					
17	SYSTEM CODE	0005	0005				
18		1. TOTAL AVAILABLE CAPACITY - FROM PURCHASE	2. TOTAL FROM DELIGHTS	3. SYSTEM NET DEPENDABLE CAPACITY			
19		4. TOTAL RESERVE CAPACITY REQUIRED	5. RESERVE AVAILABLE - INTERFERED BY EMERGENCY	6. RESERVE REQUIRED BY THIS SYSTEM	7. NOT ASSURED SYSTEM CAPACITY		
20		8. TOTAL SYSTEM NET DEPENDABLE CAPACITY					
21	SYSTEM CODE	0006	0006				
22		1. TOTAL AVAILABLE CAPACITY - FROM PURCHASE	2. TOTAL FROM DELIGHTS	3. SYSTEM NET DEPENDABLE CAPACITY			
23		4. TOTAL RESERVE CAPACITY REQUIRED	5. RESERVE AVAILABLE - INTERFERED BY EMERGENCY	6. RESERVE REQUIRED BY THIS SYSTEM	7. NOT ASSURED SYSTEM CAPACITY		
24		8. TOTAL SYSTEM NET DEPENDABLE CAPACITY					
25	SYSTEM CODE	0007	0007				
26		1. TOTAL AVAILABLE CAPACITY - FROM PURCHASE	2. TOTAL FROM DELIGHTS	3. SYSTEM NET DEPENDABLE CAPACITY			
27		4. TOTAL RESERVE CAPACITY REQUIRED	5. RESERVE AVAILABLE - INTERFERED BY EMERGENCY	6. RESERVE REQUIRED BY THIS SYSTEM	7. NOT ASSURED SYSTEM CAPACITY		
28		8. TOTAL SYSTEM NET DEPENDABLE CAPACITY					
29	SYSTEM CODE	0008	0008				
30		1. TOTAL AVAILABLE CAPACITY - FROM PURCHASE	2. TOTAL FROM DELIGHTS	3. SYSTEM NET DEPENDABLE CAPACITY			
31		4. TOTAL RESERVE CAPACITY REQUIRED	5. RESERVE AVAILABLE - INTERFERED BY EMERGENCY	6. RESERVE REQUIRED BY THIS SYSTEM	7. NOT ASSURED SYSTEM CAPACITY		
32		8. TOTAL SYSTEM NET DEPENDABLE CAPACITY					
33	SYSTEM CODE	0009	0009				
34		1. TOTAL AVAILABLE CAPACITY - FROM PURCHASE	2. TOTAL FROM DELIGHTS	3. SYSTEM NET DEPENDABLE CAPACITY			
35		4. TOTAL RESERVE CAPACITY REQUIRED	5. RESERVE AVAILABLE - INTERFERED BY EMERGENCY	6. RESERVE REQUIRED BY THIS SYSTEM	7. NOT ASSURED SYSTEM CAPACITY		
36		8. TOTAL SYSTEM NET DEPENDABLE CAPACITY					
37	SYSTEM CODE	0010	0010				
38		1. TOTAL AVAILABLE CAPACITY - FROM PURCHASE	2. TOTAL FROM DELIGHTS	3. SYSTEM NET DEPENDABLE CAPACITY			
39		4. TOTAL RESERVE CAPACITY REQUIRED	5. RESERVE AVAILABLE - INTERFERED BY EMERGENCY	6. RESERVE REQUIRED BY THIS SYSTEM	7. NOT ASSURED SYSTEM CAPACITY		
40		8. TOTAL SYSTEM NET DEPENDABLE CAPACITY					
41	SYSTEM CODE	0011	0011				
42		1. TOTAL AVAILABLE CAPACITY - FROM PURCHASE	2. TOTAL FROM DELIGHTS	3. SYSTEM NET DEPENDABLE CAPACITY			
43		4. TOTAL RESERVE CAPACITY REQUIRED	5. RESERVE AVAILABLE - INTERFERED BY EMERGENCY	6. RESERVE REQUIRED BY THIS SYSTEM	7. NOT ASSURED SYSTEM CAPACITY		
44		8. TOTAL SYSTEM NET DEPENDABLE CAPACITY					

SPC SCHEDULE
REVISED

SYSTEM ENERGY TRANSACTIONS BETWEEN OTHER SYSTEMS (SMALL SYSTEMS)										PAGE	OF	SPECIFIC FOOT- NOTES
RESPONDENT CODE		RESPONDENT NAME		REPORT PERIOD MO DAY YR		GENERAL FOOTNOTES						
01	1. SYSTEM CODE		2. TRANSMISSION SYSTEM NAME		3. NAME OF ALL INTERCONNECTION BUS OR BUSSES		4. COUNTY		5. STATE AGENCY		D	
02	6. ENERGY DELIVERED		7. ENERGY RECEIVED		8. ENERGY DELIVERED		9. ENERGY RECEIVED		10. VOLTAGE			
03	11. VOLTAGE		12. PHASE		13. FREQUENCY							
04												
05	1. SYSTEM CODE		2. TRANSMISSION SYSTEM NAME		3. NAME OF ALL INTERCONNECTION BUS OR BUSSES		4. COUNTY		5. STATE AGENCY		D	
06	6. ENERGY DELIVERED		7. ENERGY RECEIVED		8. ENERGY DELIVERED		9. ENERGY RECEIVED		10. VOLTAGE			
07	11. VOLTAGE		12. PHASE		13. FREQUENCY							
08												
09	1. SYSTEM CODE		2. TRANSMISSION SYSTEM NAME		3. NAME OF ALL INTERCONNECTION BUS OR BUSSES		4. COUNTY		5. STATE AGENCY		D	
10	6. ENERGY DELIVERED		7. ENERGY RECEIVED		8. ENERGY DELIVERED		9. ENERGY RECEIVED		10. VOLTAGE			
11	11. VOLTAGE		12. PHASE		13. FREQUENCY							
12												
13	1. SYSTEM CODE		2. TRANSMISSION SYSTEM NAME		3. NAME OF ALL INTERCONNECTION BUS OR BUSSES		4. COUNTY		5. STATE AGENCY		D	
14	6. ENERGY DELIVERED		7. ENERGY RECEIVED		8. ENERGY DELIVERED		9. ENERGY RECEIVED		10. VOLTAGE			
15	11. VOLTAGE		12. PHASE		13. FREQUENCY							
16												
17	1. SYSTEM CODE		2. TRANSMISSION SYSTEM NAME		3. NAME OF ALL INTERCONNECTION BUS OR BUSSES		4. COUNTY		5. STATE AGENCY		D	
18	6. ENERGY DELIVERED		7. ENERGY RECEIVED		8. ENERGY DELIVERED		9. ENERGY RECEIVED		10. VOLTAGE			
19	11. VOLTAGE		12. PHASE		13. FREQUENCY							
20												
21	1. SYSTEM CODE		2. TRANSMISSION SYSTEM NAME		3. NAME OF ALL INTERCONNECTION BUS OR BUSSES		4. COUNTY		5. STATE AGENCY		D	
22	6. ENERGY DELIVERED		7. ENERGY RECEIVED		8. ENERGY DELIVERED		9. ENERGY RECEIVED		10. VOLTAGE			
23	11. VOLTAGE		12. PHASE		13. FREQUENCY							
24												
25	1. SYSTEM CODE		2. TRANSMISSION SYSTEM NAME		3. NAME OF ALL INTERCONNECTION BUS OR BUSSES		4. COUNTY		5. STATE AGENCY		D	
26	6. ENERGY DELIVERED		7. ENERGY RECEIVED		8. ENERGY DELIVERED		9. ENERGY RECEIVED		10. VOLTAGE			
27	11. VOLTAGE		12. PHASE		13. FREQUENCY							
28												
29	1. SYSTEM CODE		2. TRANSMISSION SYSTEM NAME		3. NAME OF ALL INTERCONNECTION BUS OR BUSSES		4. COUNTY		5. STATE AGENCY		D	
30	6. ENERGY DELIVERED		7. ENERGY RECEIVED		8. ENERGY DELIVERED		9. ENERGY RECEIVED		10. VOLTAGE			
31	11. VOLTAGE		12. PHASE		13. FREQUENCY							
32												
33	1. SYSTEM CODE		2. TRANSMISSION SYSTEM NAME		3. NAME OF ALL INTERCONNECTION BUS OR BUSSES		4. COUNTY		5. STATE AGENCY		D	
34	6. ENERGY DELIVERED		7. ENERGY RECEIVED		8. ENERGY DELIVERED		9. ENERGY RECEIVED		10. VOLTAGE			
35	11. VOLTAGE		12. PHASE		13. FREQUENCY							
36												
37	1. SYSTEM CODE		2. TRANSMISSION SYSTEM NAME		3. NAME OF ALL INTERCONNECTION BUS OR BUSSES		4. COUNTY		5. STATE AGENCY		D	
38	6. ENERGY DELIVERED		7. ENERGY RECEIVED		8. ENERGY DELIVERED		9. ENERGY RECEIVED		10. VOLTAGE			
39	11. VOLTAGE		12. PHASE		13. FREQUENCY							
40												
41	1. SYSTEM CODE		2. TRANSMISSION SYSTEM NAME		3. NAME OF ALL INTERCONNECTION BUS OR BUSSES		4. COUNTY		5. STATE AGENCY		D	
42	6. ENERGY DELIVERED		7. ENERGY RECEIVED		8. ENERGY DELIVERED		9. ENERGY RECEIVED		10. VOLTAGE			
43	11. VOLTAGE		12. PHASE		13. FREQUENCY							
44												

IPC SCHEDULE
REVISED

SAMPLE SLIGHTLY REPRODUCED COPY

SYSTEM NET GENERATION, ENERGY TRANSFERS AND PEAK LOAD BY MONTH (SMALL SYSTEMS)										PAGE	OF	
RESPONDENT CODE	RESPONDENT NAME									REPORT PERIOD MO. DAY YR.	GENERAL FOOTNOTE	SPECIFIC FOOTNOTE
1. SYSTEM CODE	2. MONTH CODE	3. NET GENERATION	4. PEAK DEMAND	5. ENERGY RESERVE	6. ENERGY DELIVERED	7. NET PEAKING	8. MONTHLY PEAK LOAD	9. MONTHLY PEAK LOAD	10. MONTHLY PEAK LOAD			
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FPC SCHEDULE
REVISED

SAMPLE SLIGHTLY REPRODUCED COPY

SYSTEM LOAD DATA FOR SPECIFIED WEEKS—AM										PAGE	OF	
RESPONDENT CODE	RESPONDENT NAME									REPORT PERIOD MO. DAY YR.	GENERAL FOOTNOTE	SPECIFIC FOOTNOTE
1. SYSTEM CODE	2. WEEK CODE	3. PEAK CODE	4. PEAK CODE	5. PEAK CODE	6. PEAK CODE	7. PEAK CODE	8. PEAK CODE	9. PEAK CODE	10. PEAK CODE			
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FPC SCHEDULE
REVISED

PROPOSED RULES

SAMPLE

SYSTEM LOAD DATA FOR SPECIFIED WEEKS - PM

PAGE OF

RESPONDENT CODE	RESPONDENT NAME	REPORT PERIOD MO. DAY YR.	GENERAL FOOTNOTES	SPECIFIC FOOTNOTES
1	SYSTEM CODE	2. TYPE OF CHANGE	3. NAME OF CHANGED SYSTEM	4. CHART DATA
5	5. START DATE	6. COMPLETION DATE	7. UNDESIRABLE CAPACITY	
8				
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FPC SCHEDULE
REVISED

SAMPLE

SYSTEM FUTURE CHANGES IN FIRM POWER TRANSFERS

PAGE OF

RESPONDENT CODE	RESPONDENT NAME	REPORT PERIOD MO. DAY YR.	GENERAL FOOTNOTES	SPECIFIC FOOTNOTES
1	SYSTEM CODE	2. TYPE OF CHANGE	3. NAME OF CHANGED SYSTEM	4. CHART DATA
5	5. START DATE	6. COMPLETION DATE	7. UNDESIRABLE CAPACITY	
8				
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SAMPLE

SYSTEM ENERGY AND PEAK LOAD FORECAST

RESPONDENT CODE: 0000

RESPONDENT NAME: [REDACTED]

REPORT PERIOD: NO. DAY YR

GENERAL FOOTNOTE: [REDACTED]

SPECIFIC FOOTNOTE: [REDACTED]

1. SYSTEM CODE	2. YEAR	3. SEASON	4. MONTH	5. NET GENERATION	6. PEAK LOAD	7. LOAD FACTOR
01	01	01	01	01	01	01
02	01	01	01	01	01	01
03	01	01	01	01	01	01
04	01	01	01	01	01	01
05	01	01	01	01	01	01
06	01	01	01	01	01	01
07	01	01	01	01	01	01
08	01	01	01	01	01	01
09	01	01	01	01	01	01
10	01	01	01	01	01	01
11	01	01	01	01	01	01
12	01	01	01	01	01	01
13	01	01	01	01	01	01
14	01	01	01	01	01	01
15	01	01	01	01	01	01
16	01	01	01	01	01	01
17	01	01	01	01	01	01
18	01	01	01	01	01	01
19	01	01	01	01	01	01
20	01	01	01	01	01	01
21	01	01	01	01	01	01
22	01	01	01	01	01	01
23	01	01	01	01	01	01
24	01	01	01	01	01	01
25	01	01	01	01	01	01
26	01	01	01	01	01	01
27	01	01	01	01	01	01
28	01	01	01	01	01	01
29	01	01	01	01	01	01
30	01	01	01	01	01	01
31	01	01	01	01	01	01
32	01	01	01	01	01	01
33	01	01	01	01	01	01
34	01	01	01	01	01	01
35	01	01	01	01	01	01
36	01	01	01	01	01	01
37	01	01	01	01	01	01
38	01	01	01	01	01	01
39	01	01	01	01	01	01
40	01	01	01	01	01	01
41	01	01	01	01	01	01
42	01	01	01	01	01	01
43	01	01	01	01	01	01
44	01	01	01	01	01	01

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SAMPLE

DISTRIBUTION OF SYSTEM LOAD IN SERVICE AREA

RESPONDENT CODE: 0000

RESPONDENT NAME: [REDACTED]

REPORT PERIOD: NO. DAY YR

GENERAL FOOTNOTE: [REDACTED]

SPECIFIC FOOTNOTE: [REDACTED]

1. SYSTEM CODE	2. DISTRIBUTION OF AREA	3. TIME PERIOD	4. PERCENT LOAD	5. TIME PERIOD	6. PERCENT LOAD	7. TIME PERIOD	8. PERCENT LOAD	9. TIME PERIOD	10. PERCENT LOAD	11. TIME PERIOD	12. PERCENT LOAD
01	01	01	01	01	01	01	01	01	01	01	01
02	01	01	01	01	01	01	01	01	01	01	01
03	01	01	01	01	01	01	01	01	01	01	01
04	01	01	01	01	01	01	01	01	01	01	01
05	01	01	01	01	01	01	01	01	01	01	01
06	01	01	01	01	01	01	01	01	01	01	01
07	01	01	01	01	01	01	01	01	01	01	01
08	01	01	01	01	01	01	01	01	01	01	01
09	01	01	01	01	01	01	01	01	01	01	01
10	01	01	01	01	01	01	01	01	01	01	01
11	01	01	01	01	01	01	01	01	01	01	01
12	01	01	01	01	01	01	01	01	01	01	01
13	01	01	01	01	01	01	01	01	01	01	01
14	01	01	01	01	01	01	01	01	01	01	01
15	01	01	01	01	01	01	01	01	01	01	01
16	01	01	01	01	01	01	01	01	01	01	01
17	01	01	01	01	01	01	01	01	01	01	01
18	01	01	01	01	01	01	01	01	01	01	01
19	01	01	01	01	01	01	01	01	01	01	01
20	01	01	01	01	01	01	01	01	01	01	01
21	01	01	01	01	01	01	01	01	01	01	01
22	01	01	01	01	01	01	01	01	01	01	01
23	01	01	01	01	01	01	01	01	01	01	01
24	01	01	01	01	01	01	01	01	01	01	01
25	01	01	01	01	01	01	01	01	01	01	01
26	01	01	01	01	01	01	01	01	01	01	01
27	01	01	01	01	01	01	01	01	01	01	01
28	01	01	01	01	01	01	01	01	01	01	01
29	01	01	01	01	01	01	01	01	01	01	01
30	01	01	01	01	01	01	01	01	01	01	01
31	01	01	01	01	01	01	01	01	01	01	01
32	01	01	01	01	01	01	01	01	01	01	01
33	01	01	01	01	01	01	01	01	01	01	01
34	01	01	01	01	01	01	01	01	01	01	01
35	01	01	01	01	01	01	01	01	01	01	01
36	01	01	01	01	01	01	01	01	01	01	01
37	01	01	01	01	01	01	01	01	01	01	01
38	01	01	01	01	01	01	01	01	01	01	01
39	01	01	01	01	01	01	01	01	01	01	01
40	01	01	01	01	01	01	01	01	01	01	01
41	01	01	01	01	01	01	01	01	01	01	01
42	01	01	01	01	01	01	01	01	01	01	01
43	01	01	01	01	01	01	01	01	01	01	01
44	01	01	01	01	01	01	01	01	01	01	01

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SAMPLE

0100		SYSTEM GENERATION		PAGE		OF	
RECORD CODE		RECORD NAME		KEY PERIOD NO. DAY YR		GENERAL FOOTNOTE	
01	1. SYSTEM CODE	2. SYSTEM ELECTRIC	3. SYSTEM ELECTRIC	4. SYSTEM ELECTRIC	5. SYSTEM ELECTRIC	6. SYSTEM ELECTRIC	7. SYSTEM ELECTRIC
02	8. SYSTEM ELECTRIC	9. SYSTEM ELECTRIC	10. SYSTEM ELECTRIC	11. SYSTEM ELECTRIC	12. SYSTEM ELECTRIC	13. SYSTEM ELECTRIC	14. SYSTEM ELECTRIC
03	15. SYSTEM ELECTRIC	16. SYSTEM ELECTRIC	17. SYSTEM ELECTRIC	18. SYSTEM ELECTRIC	19. SYSTEM ELECTRIC	20. SYSTEM ELECTRIC	21. SYSTEM ELECTRIC
04	22. SYSTEM ELECTRIC	23. SYSTEM ELECTRIC	24. SYSTEM ELECTRIC	25. SYSTEM ELECTRIC	26. SYSTEM ELECTRIC	27. SYSTEM ELECTRIC	28. SYSTEM ELECTRIC
05	29. SYSTEM ELECTRIC	30. SYSTEM ELECTRIC	31. SYSTEM ELECTRIC	32. SYSTEM ELECTRIC	33. SYSTEM ELECTRIC	34. SYSTEM ELECTRIC	35. SYSTEM ELECTRIC
06	36. SYSTEM ELECTRIC	37. SYSTEM ELECTRIC	38. SYSTEM ELECTRIC	39. SYSTEM ELECTRIC	40. SYSTEM ELECTRIC	41. SYSTEM ELECTRIC	42. SYSTEM ELECTRIC
07	43. SYSTEM ELECTRIC	44. SYSTEM ELECTRIC	45. SYSTEM ELECTRIC	46. SYSTEM ELECTRIC	47. SYSTEM ELECTRIC	48. SYSTEM ELECTRIC	49. SYSTEM ELECTRIC
08	50. SYSTEM ELECTRIC	51. SYSTEM ELECTRIC	52. SYSTEM ELECTRIC	53. SYSTEM ELECTRIC	54. SYSTEM ELECTRIC	55. SYSTEM ELECTRIC	56. SYSTEM ELECTRIC
09	57. SYSTEM ELECTRIC	58. SYSTEM ELECTRIC	59. SYSTEM ELECTRIC	60. SYSTEM ELECTRIC	61. SYSTEM ELECTRIC	62. SYSTEM ELECTRIC	63. SYSTEM ELECTRIC
10	64. SYSTEM ELECTRIC	65. SYSTEM ELECTRIC	66. SYSTEM ELECTRIC	67. SYSTEM ELECTRIC	68. SYSTEM ELECTRIC	69. SYSTEM ELECTRIC	70. SYSTEM ELECTRIC
11	71. SYSTEM ELECTRIC	72. SYSTEM ELECTRIC	73. SYSTEM ELECTRIC	74. SYSTEM ELECTRIC	75. SYSTEM ELECTRIC	76. SYSTEM ELECTRIC	77. SYSTEM ELECTRIC
12	78. SYSTEM ELECTRIC	79. SYSTEM ELECTRIC	80. SYSTEM ELECTRIC	81. SYSTEM ELECTRIC	82. SYSTEM ELECTRIC	83. SYSTEM ELECTRIC	84. SYSTEM ELECTRIC
13	85. SYSTEM ELECTRIC	86. SYSTEM ELECTRIC	87. SYSTEM ELECTRIC	88. SYSTEM ELECTRIC	89. SYSTEM ELECTRIC	90. SYSTEM ELECTRIC	91. SYSTEM ELECTRIC
14	92. SYSTEM ELECTRIC	93. SYSTEM ELECTRIC	94. SYSTEM ELECTRIC	95. SYSTEM ELECTRIC	96. SYSTEM ELECTRIC	97. SYSTEM ELECTRIC	98. SYSTEM ELECTRIC
15	99. SYSTEM ELECTRIC	100. SYSTEM ELECTRIC	101. SYSTEM ELECTRIC	102. SYSTEM ELECTRIC	103. SYSTEM ELECTRIC	104. SYSTEM ELECTRIC	105. SYSTEM ELECTRIC
16	106. SYSTEM ELECTRIC	107. SYSTEM ELECTRIC	108. SYSTEM ELECTRIC	109. SYSTEM ELECTRIC	110. SYSTEM ELECTRIC	111. SYSTEM ELECTRIC	112. SYSTEM ELECTRIC
17	113. SYSTEM ELECTRIC	114. SYSTEM ELECTRIC	115. SYSTEM ELECTRIC	116. SYSTEM ELECTRIC	117. SYSTEM ELECTRIC	118. SYSTEM ELECTRIC	119. SYSTEM ELECTRIC
18	120. SYSTEM ELECTRIC	121. SYSTEM ELECTRIC	122. SYSTEM ELECTRIC	123. SYSTEM ELECTRIC	124. SYSTEM ELECTRIC	125. SYSTEM ELECTRIC	126. SYSTEM ELECTRIC
19	127. SYSTEM ELECTRIC	128. SYSTEM ELECTRIC	129. SYSTEM ELECTRIC	130. SYSTEM ELECTRIC	131. SYSTEM ELECTRIC	132. SYSTEM ELECTRIC	133. SYSTEM ELECTRIC
20	134. SYSTEM ELECTRIC	135. SYSTEM ELECTRIC	136. SYSTEM ELECTRIC	137. SYSTEM ELECTRIC	138. SYSTEM ELECTRIC	139. SYSTEM ELECTRIC	140. SYSTEM ELECTRIC
21	141. SYSTEM ELECTRIC	142. SYSTEM ELECTRIC	143. SYSTEM ELECTRIC	144. SYSTEM ELECTRIC	145. SYSTEM ELECTRIC	146. SYSTEM ELECTRIC	147. SYSTEM ELECTRIC
22	148. SYSTEM ELECTRIC	149. SYSTEM ELECTRIC	150. SYSTEM ELECTRIC	151. SYSTEM ELECTRIC	152. SYSTEM ELECTRIC	153. SYSTEM ELECTRIC	154. SYSTEM ELECTRIC
23	155. SYSTEM ELECTRIC	156. SYSTEM ELECTRIC	157. SYSTEM ELECTRIC	158. SYSTEM ELECTRIC	159. SYSTEM ELECTRIC	160. SYSTEM ELECTRIC	161. SYSTEM ELECTRIC
24	162. SYSTEM ELECTRIC	163. SYSTEM ELECTRIC	164. SYSTEM ELECTRIC	165. SYSTEM ELECTRIC	166. SYSTEM ELECTRIC	167. SYSTEM ELECTRIC	168. SYSTEM ELECTRIC
25	169. SYSTEM ELECTRIC	170. SYSTEM ELECTRIC	171. SYSTEM ELECTRIC	172. SYSTEM ELECTRIC	173. SYSTEM ELECTRIC	174. SYSTEM ELECTRIC	175. SYSTEM ELECTRIC
26	176. SYSTEM ELECTRIC	177. SYSTEM ELECTRIC	178. SYSTEM ELECTRIC	179. SYSTEM ELECTRIC	180. SYSTEM ELECTRIC	181. SYSTEM ELECTRIC	182. SYSTEM ELECTRIC
27	183. SYSTEM ELECTRIC	184. SYSTEM ELECTRIC	185. SYSTEM ELECTRIC	186. SYSTEM ELECTRIC	187. SYSTEM ELECTRIC	188. SYSTEM ELECTRIC	189. SYSTEM ELECTRIC
28	190. SYSTEM ELECTRIC	191. SYSTEM ELECTRIC	192. SYSTEM ELECTRIC	193. SYSTEM ELECTRIC	194. SYSTEM ELECTRIC	195. SYSTEM ELECTRIC	196. SYSTEM ELECTRIC
29	197. SYSTEM ELECTRIC	198. SYSTEM ELECTRIC	199. SYSTEM ELECTRIC	200. SYSTEM ELECTRIC	201. SYSTEM ELECTRIC	202. SYSTEM ELECTRIC	203. SYSTEM ELECTRIC
30	204. SYSTEM ELECTRIC	205. SYSTEM ELECTRIC	206. SYSTEM ELECTRIC	207. SYSTEM ELECTRIC	208. SYSTEM ELECTRIC	209. SYSTEM ELECTRIC	210. SYSTEM ELECTRIC
31	211. SYSTEM ELECTRIC	212. SYSTEM ELECTRIC	213. SYSTEM ELECTRIC	214. SYSTEM ELECTRIC	215. SYSTEM ELECTRIC	216. SYSTEM ELECTRIC	217. SYSTEM ELECTRIC
32	218. SYSTEM ELECTRIC	219. SYSTEM ELECTRIC	220. SYSTEM ELECTRIC	221. SYSTEM ELECTRIC	222. SYSTEM ELECTRIC	223. SYSTEM ELECTRIC	224. SYSTEM ELECTRIC
33	225. SYSTEM ELECTRIC	226. SYSTEM ELECTRIC	227. SYSTEM ELECTRIC	228. SYSTEM ELECTRIC	229. SYSTEM ELECTRIC	230. SYSTEM ELECTRIC	231. SYSTEM ELECTRIC
34	232. SYSTEM ELECTRIC	233. SYSTEM ELECTRIC	234. SYSTEM ELECTRIC	235. SYSTEM ELECTRIC	236. SYSTEM ELECTRIC	237. SYSTEM ELECTRIC	238. SYSTEM ELECTRIC
35	239. SYSTEM ELECTRIC	240. SYSTEM ELECTRIC	241. SYSTEM ELECTRIC	242. SYSTEM ELECTRIC	243. SYSTEM ELECTRIC	244. SYSTEM ELECTRIC	245. SYSTEM ELECTRIC
36	246. SYSTEM ELECTRIC	247. SYSTEM ELECTRIC	248. SYSTEM ELECTRIC	249. SYSTEM ELECTRIC	250. SYSTEM ELECTRIC	251. SYSTEM ELECTRIC	252. SYSTEM ELECTRIC
37	253. SYSTEM ELECTRIC	254. SYSTEM ELECTRIC	255. SYSTEM ELECTRIC	256. SYSTEM ELECTRIC	257. SYSTEM ELECTRIC	258. SYSTEM ELECTRIC	259. SYSTEM ELECTRIC
38	260. SYSTEM ELECTRIC	261. SYSTEM ELECTRIC	262. SYSTEM ELECTRIC	263. SYSTEM ELECTRIC	264. SYSTEM ELECTRIC	265. SYSTEM ELECTRIC	266. SYSTEM ELECTRIC
39	267. SYSTEM ELECT						

SAMPLE

[illegible]

SAMPLE

SYSTEM INTERCHANGE POWER		PAGE	OF
RESPONDENT CODE	RESPONDENT NAME	REPORT PERIOD MO. DAY YR.	GENERAL FOOTNOTES
1. SYSTEM CODE			
2. NAME OTHER SYSTEM			
3. INTERCHANGE SUBSTATION			
4. DIRECTION OF SETTLEMENT			
5. OTHER SETTLEMENT TERMS			
6. NAME OTHER SYSTEM			
7. INTERCHANGE SUBSTATION			
8. DIRECTION OF SETTLEMENT			
9. OTHER SETTLEMENT TERMS			
10. NAME OTHER SYSTEM			
11. INTERCHANGE SUBSTATION			
12. DIRECTION OF SETTLEMENT			
13. OTHER SETTLEMENT TERMS			
14. NAME OTHER SYSTEM			
15. INTERCHANGE SUBSTATION			
16. DIRECTION OF SETTLEMENT			
17. OTHER SETTLEMENT TERMS			
18. NAME OTHER SYSTEM			
19. INTERCHANGE SUBSTATION			
20. DIRECTION OF SETTLEMENT			
21. OTHER SETTLEMENT TERMS			
22. NAME OTHER SYSTEM			
23. INTERCHANGE SUBSTATION			
24. DIRECTION OF SETTLEMENT			
25. OTHER SETTLEMENT TERMS			
26. NAME OTHER SYSTEM			
27. INTERCHANGE SUBSTATION			
28. DIRECTION OF SETTLEMENT			
29. OTHER SETTLEMENT TERMS			
30. NAME OTHER SYSTEM			
31. INTERCHANGE SUBSTATION			
32. DIRECTION OF SETTLEMENT			
33. OTHER SETTLEMENT TERMS			
34. NAME OTHER SYSTEM			
35. INTERCHANGE SUBSTATION			
36. DIRECTION OF SETTLEMENT			
37. OTHER SETTLEMENT TERMS			
38. NAME OTHER SYSTEM			
39. INTERCHANGE SUBSTATION			
40. DIRECTION OF SETTLEMENT			
41. OTHER SETTLEMENT TERMS			
42. NAME OTHER SYSTEM			
43. INTERCHANGE SUBSTATION			
44. DIRECTION OF SETTLEMENT			
45. OTHER SETTLEMENT TERMS			

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SAMPLE

SYSTEM TRANSMISSION OF ELECTRICITY FOR OR BY OTHERS		PAGE	OF
RESPONDENT CODE	RESPONDENT NAME	REPORT PERIOD MO. DAY YR.	GENERAL FOOTNOTES
1. SYSTEM CODE			
2. TRANSMISSION TO			
3. NAME OF OTHER SYSTEM			
4. DIRECTION OF SETTLEMENT			
5. OTHER SETTLEMENT TERMS			
6. NAME OF OTHER SYSTEM			
7. DIRECTION OF SETTLEMENT			
8. OTHER SETTLEMENT TERMS			
9. NAME OF OTHER SYSTEM			
10. DIRECTION OF SETTLEMENT			
11. OTHER SETTLEMENT TERMS			
12. NAME OF OTHER SYSTEM			
13. DIRECTION OF SETTLEMENT			
14. OTHER SETTLEMENT TERMS			
15. NAME OF OTHER SYSTEM			
16. DIRECTION OF SETTLEMENT			
17. OTHER SETTLEMENT TERMS			
18. NAME OF OTHER SYSTEM			
19. DIRECTION OF SETTLEMENT			
20. OTHER SETTLEMENT TERMS			
21. NAME OF OTHER SYSTEM			
22. DIRECTION OF SETTLEMENT			
23. OTHER SETTLEMENT TERMS			
24. NAME OF OTHER SYSTEM			
25. DIRECTION OF SETTLEMENT			
26. OTHER SETTLEMENT TERMS			
27. NAME OF OTHER SYSTEM			
28. DIRECTION OF SETTLEMENT			
29. OTHER SETTLEMENT TERMS			
30. NAME OF OTHER SYSTEM			
31. DIRECTION OF SETTLEMENT			
32. OTHER SETTLEMENT TERMS			
33. NAME OF OTHER SYSTEM			
34. DIRECTION OF SETTLEMENT			
35. OTHER SETTLEMENT TERMS			
36. NAME OF OTHER SYSTEM			
37. DIRECTION OF SETTLEMENT			
38. OTHER SETTLEMENT TERMS			
39. NAME OF OTHER SYSTEM			
40. DIRECTION OF SETTLEMENT			
41. OTHER SETTLEMENT TERMS			
42. NAME OF OTHER SYSTEM			
43. DIRECTION OF SETTLEMENT			
44. OTHER SETTLEMENT TERMS			

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PROPOSED RULES

SAMPLE

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SYSTEM BORDERLINE RECEIPTS AND DELIVERIES									
RESPONDENT CODE		RESPONDENT NAME		REPORT PERIOD MO. DAY YR.	GENERAL FOOTNOTES	SPECIFIC FOOTNOTES			
1	SYSTEM CODE								
2	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
3	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
4	SYSTEM CODE								
5	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
6	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
7	SYSTEM CODE								
8	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
9	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
10	SYSTEM CODE								
11	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
12	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
13	SYSTEM CODE								
14	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
15	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
16	SYSTEM CODE								
17	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
18	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
19	SYSTEM CODE								
20	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
21	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
22	SYSTEM CODE								
23	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
24	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
25	SYSTEM CODE								
26	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
27	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
28	SYSTEM CODE								
29	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
30	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
31	SYSTEM CODE								
32	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
33	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
34	SYSTEM CODE								
35	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
36	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
37	SYSTEM CODE								
38	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
39	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
40	SYSTEM CODE								
41	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
42	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
43	SYSTEM CODE								
44	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
45	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							

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SAMPLE

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SYSTEM ULTIMATE CONSUMER DELIVERIES AND LOSSES									
RESPONDENT CODE		RESPONDENT NAME		REPORT PERIOD MO. DAY YR.	GENERAL FOOTNOTES	SPECIFIC FOOTNOTES			
1	SYSTEM CODE								
2	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
3	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
4	SYSTEM CODE								
5	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
6	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
7	SYSTEM CODE								
8	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
9	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
10	SYSTEM CODE								
11	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
12	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
13	SYSTEM CODE								
14	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
15	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
16	SYSTEM CODE								
17	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
18	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
19	SYSTEM CODE								
20	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
21	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
22	SYSTEM CODE								
23	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
24	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
25	SYSTEM CODE								
26	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
27	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
28	SYSTEM CODE								
29	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
30	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
31	SYSTEM CODE								
32	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
33	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
34	SYSTEM CODE								
35	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
36	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
37	SYSTEM CODE								
38	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
39	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
40	SYSTEM CODE								
41	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
42	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							
43	SYSTEM CODE								
44	1. ENERGY CODE	3. NAME OF OTHER SYSTEM	5. PHYSICAL ENERGY TRANSACTIONS						
45	2. COMPENSATION	4. NON-ENERGETIC COMPOSITION							

PPC SCHEDULE
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SYSTEM NET GENERATION, ENERGY TRANSFERRED AND ASSOCIATED PEAK DEMAND BY MONTH

PAGE 1 OF 1

SYSTEM CODE	DEPENDENT CODE	DEPENDENT NAME	REF. PERIOD		CENTRAL FOOTPRINT	PEAKING FOOTPRINT
			MO.	DAY		
01						
02						
03						
04						
05						
06						
07						
08						
09						
10						
11						
12						
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16						
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43						
44						

01 SYSTEM CODE 02 DEPENDENT CODE 03 DEPENDENT NAME 04 REF. PERIOD MO. DAY 05 CENTRAL FOOTPRINT 06 PEAKING FOOTPRINT

07 1. NET GENERATION 08 PEAK DEMAND 09 OTHER SOURCES 10 INTERSECTION DELIVERABLES 11 NET ENERGY FOR SYSTEM 12 SYSTEM PEAK

13 1. NET GENERATION 14 PEAK DEMAND 15 OTHER SOURCES 16 INTERSECTION DELIVERABLES 17 NET ENERGY FOR SYSTEM 18 SYSTEM PEAK

19 1. NET GENERATION 20 PEAK DEMAND 21 OTHER SOURCES 22 INTERSECTION DELIVERABLES 23 NET ENERGY FOR SYSTEM 24 SYSTEM PEAK

25 1. NET GENERATION 26 PEAK DEMAND 27 OTHER SOURCES 28 INTERSECTION DELIVERABLES 29 NET ENERGY FOR SYSTEM 30 SYSTEM PEAK

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SAMPLE

FOOTNOTES TO PPC PUBLIC USE SCHEDULES		PAGE	OF
81	RESPONDENT CODE	RESPONDENT NAME	REPORT PERIOD
82	1. NAME	2. LAST INITIALS	3. FIRST NAME
83	4. ADDRESS	5. CITY	6. STATE
84	7. ZIP CODE	8. PHONE	9. FAX
85	10. BUSINESS	11. INDUSTRY	12. PRODUCT
86	13. TYPE OF BUSINESS	14. TYPE OF INDUSTRY	15. TYPE OF PRODUCT
87	16. TYPE OF BUSINESS	17. TYPE OF INDUSTRY	18. TYPE OF PRODUCT
88	19. TYPE OF BUSINESS	20. TYPE OF INDUSTRY	21. TYPE OF PRODUCT
89	22. TYPE OF BUSINESS	23. TYPE OF INDUSTRY	24. TYPE OF PRODUCT
90	25. TYPE OF BUSINESS	26. TYPE OF INDUSTRY	27. TYPE OF PRODUCT
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100	55. TYPE OF BUSINESS	56. TYPE OF INDUSTRY	57. TYPE OF PRODUCT

SAMPLE

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federal register

THURSDAY, SEPTEMBER 2, 1976



PART V:

CONSUMER PRODUCT SAFETY COMMISSION

■

PRIVACY ACT OF 1974

Systems of Records

CONSUMER PRODUCT SAFETY COMMISSION PRIVACY ACT OF 1974 Systems of Records

The purpose of this document is to give notice that the systems of records identified in notices published in the Federal Register at 40 FR 45124 (September 30, 1975), 41 FR 18279 (April 30, 1976) and 41 FR 32875 (August 5, 1976); modifications and corrections of the above mentioned systems of records published in the Federal Register at 40 FR 53419, (November 18, 1975) and 40 FR 55376 (November 28, 1975); and a routine use applicable to all of the above mentioned systems of records published in the Federal Register at 41 FR 5655 (February 9, 1976) continue in effect.

This notice is published in compliance with the requirements of 5 U.S.C. 552a(e)(4) as added by section 3 of the Privacy Act of 1974. Dated: August 10, 1976.

Sadye E. Dunn,
Secretary, Consumer Product Safety Commission

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- Advisory Committee Applications—CPSC
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- Employee Biographies—CPSC
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- Employee Discrimination Complaint and Investigation File—CPSC
- Employee Executive Development Program Records—CPSC
- Employee Financial Interest Statements—CPSC
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- Employee Motor Vehicle Operators and Accident Report Records—CPSC
- Employee Outside Activity Notices—CPSC
- Employee Payroll, leave and Travel Records—CPSC
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- Employee Upward Mobility Counseling Files—CPSC
- Employee Upward Mobility Program Training Files—CPSC
- Job Applicant File—CPSC
- Labor-Management Relations File—CPSC

CPSC—1

System name: Accident Reports (In-Depth)—CPSC

System location: Consumer Product Safety Commission, Bureau of Epidemiology, 5401 Westbard Avenue, Washington, D.C. 20207

Categories of individuals covered by the system: Victims of Consumer product-related injuries on which specific epidemiologic data is needed in order to analyze and correct product hazards.

Categories of records in the system: This record contains demographic data on an injured person, location of accident, data on injury, product and manufacturer identification, and a narrative description of the accident.

Authority for maintenance of the system: Consumer Product Safety Act, section 5(15 USC 2054)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used as a compilation of statistical information on product-related injuries to support CPSC staff work in analyzing the incidence and severity of product related injuries and to respond to Congressional inquiries and requests for information from private individuals and private and public organizations.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic data bank disk. The original hard copy of the investigation report is maintained by the National Injury Information Clearinghouse, Bureau of Epidemiology in file folders.

Retrievability: Records are retrievable by either (1) Product Code and injury data or (2) Hospital Identification Code and Patient Record Number.

Safeguards: Confidentiality of the name of the accident victim and attending physician are guaranteed by the Consumer Product Safety Act, section 25(c), (15 USC 2074(c)) and, therefore, names do not appear in the record and are not used for retrieval.

Retention and disposal: Records are maintained for a period of 10 years subject to change in Commission policy. Disposal is by normal methods.

System manager(s) and address:

Director, Bureau of Epidemiology
Room 332
5401 Westbard Avenue
Washington, D.C. 20207

Systems exempted from certain provisions of the act: This system of records is subject to the specific exemption provided for in 5 USC 552a(k)(4) and is therefore exempt from subsections (c)(3), (d)(2) & (3), (e)(1), (e)(4)(G), (H) and (I) and (f) of section 552a. The data is required to be maintained by 15 USC 2054 and is used solely as statistical records.

CPSC—2

System name: Advisory Committee applications—CPSC

System location: Consumer Product Safety Commission, Office of the Secretary 1750 K Street, N.W., Suite 1025, Washington, D.C. 20207

Categories of individuals covered by the system: Individuals seeking or nominated for positions on the various Advisory Committees.

Categories of records in the system: This record contains an individual's name, address, personal history and qualifications.

Authority for maintenance of the system: 15 USC 2077, 2079(a) and 2079(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The applications are used to select candidates for filling vacancies on advisory committees.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy.

Retrievability: Records are indexed alphabetically by name of committee and then by name of applicant.

Safeguards: Records are maintained in file cabinets in a secured area.

Retention and disposal: Records are retained until new applications are solicited, i.e., every 12 months.

System manager(s) and address: Secretary, Consumer Product Safety Commission, 1750 K Street, N.W., Suite 1025, Washington, D.C. 20207

Notification procedure:

Consumer Product Safety Commission
Office of the Secretary
1750 K Street, N.W. Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting records procedures: Same as notification.

Record source categories: Information is provided by individuals seeking a position on an advisory committee or by a person nominating another for such a position.

CPSC—3

System name: Claims—CPSC

System location: Consumer Product Safety Commission, Office of Resource Utilization, Division of Personnel Management, 5401 Westbard Avenue, Room 942, Washington, D.C. 20207

Categories of individuals covered by the system: CPSC employees sustaining property damage incident to service; CPSC employees involved in situation where personal injury or property damage results from wrongful or negligent act of employee acting within scope of employment; claimants sustaining injury or property damage due to CPSC employee actions.

Categories of records in the system: This record contains material in the form of accident reports, itemized bills and correspondence with outside activities such as insurers and claimants.

Authority for maintenance of the system: 31 USC 240; 28 USC 2671.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (a) For litigation in a Federal court when necessary. (b) To provide a chronological and reference file for preparation of reports (c) To provide necessary data to adjudicate or settle the claim.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy.

Retrievability: Records are indexed alphabetically by name of individual claimant.

Safeguards: Records are maintained in combination lock metal file cabinet in a secured area. Access to such area is limited to those persons whose official duties require such access.

Retention and disposal: Records are retained up to six years after case is closed. Disposal is by normal procedures.

System manager(s) and address:

Director, Division of Personnel Management
5401 Westbard Avenue
Washington, D.C. 20207

Notification procedure: Present and former employees:

Director, Office of Resource Utilization
Consumer Product Safety Commission
5401 Westbard Avenue
Washington, D.C. 20207

Others:

Consumer Product Safety Commission
Office of the Secretary
1750 K Street, N.W. Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information is provided by (1) the individual to whom the record pertains (2) the agency and/or Commission official (3) affidavits or statements from employee (4) testimony of witnesses (5) official document relating to claim (6) correspondence from organization or persons involved.

CPSC-4

System name: Consumer Volunteer Roster-CPSC

System location: Consumer Product Safety Commission, Office of the Secretary, 1750 K Street, N.W. Suite 1025, Washington, D.C. 20207

Categories of individuals covered by the system: Consumers who wish to volunteer their services in the development of safety standards as members of development committees.

Categories of records in the system: This record contains consumer's name, address, and qualification for serving in the Standards development process.

Authority for maintenance of the system: Section 7, Consumer Product Safety Act (15 USC 2056)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information is made available to organizations developing safety standards for consumer products in order to obtain consumer participation.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on hard copy.

Retrievability: Records are indexed by state and name of consumer.

Safeguards: Records are maintained in secure file cabinets.

Retention and disposal: Records are retained until new set of volunteer's names are solicited by the Commission, e.g.: each 12 months.

System manager(s) and address:

Secretary, Consumer Product Safety Commission
1750 K Street, N.W.

Washington, D.C. 20207

Notification procedure:

Consumer Product Safety Commission
Office of the Secretary
1750 K Street, N.W. Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information is provided by individuals on whom the record is maintained.

CPSC-5

System name: Employee Biographies-CPSC

System location:

Consumer Product Safety Commission
Office of Public Affairs
1750 K Street, N.W. Suite 600
Washington, D.C. 20207

Categories of individuals covered by the system: CPSC employees who have submitted biographical information

Categories of records in the system: This record contains a brief statement of information relating to educational and professional background and present position and responsibilities within the Commission

Authority for maintenance of the system: Consumer Product Safety Act (15 USC 2051-81)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This information is furnished to the public media in connection with employee activities and employee participation in conferences, meetings and other functions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy.

Retrievability: Records are indexed alphabetically by name of employee.

Safeguards: Records are maintained in locked file cabinets in secured areas.

Retention and disposal: Records are maintained until employee terminates employment at agency. Disposal is by normal methods.

System manager(s) and address:

Director, Public Affairs
1750 K Street, N.W., Suite 600
Washington, D.C. 20207

Notification procedure: Employees and former employees:

Consumer Product Safety Commission
Director, Office of Resource Utilization
5401 Westbard Avenue
Washington, D.C. 20207

Others:

Consumer Product Safety Commission
Office of the Secretary
1750 K Street, N.W., Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this record is furnished by the employee to whom it pertains.

CPSC-6

System name: Employee Career Development-CPSC

System location: (1) Division of Personnel Management (2) Division of Training and Manpower Development. Consumer Product Safety Commission, 5401, Westbard Avenue, Washington, D.C. 20207

Categories of individuals covered by the system: CPSC employees who have expressed interest in and made application for extramural training courses, and courses designed exclusively for internal use.

Categories of records in the system: These records contain applications for training in government and non-government facilities; approvals; disapprovals; cancellations and deferrals of course of-

ferings; evaluations of course offerings; records on payment of training bills; statistical reports on training activities; counseling notations pertaining to employees interested in courses.

Authority for maintenance of the system: Executive Order 11348; USC 4103, 4108, 4109, 4110, 4113, 4118.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used or a record may be used:

- (a) To obtain enrollment into training course or seminar.
- (b) To provide statistical reports to Congress, agencies, and the public on characteristics of the Federal work force.
- (c) To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
- (d) To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information concerning the hiring or retention of an employee.
- (e) To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.
- (f) As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.
- (g) To provide data for the automated Central Personnel Data File (CPDF).
- (h) By the Civil Service Commission for purpose of making a decision when a Federal employee or former Federal employee is questioning the validity of a specific document in an individual file.
- (i) To any agency of the Federal Government having oversight or review authority with regard to Civil Service Commission activities.
- (j) To provide data to update the Federal Automated Career Systems (FACS).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

- Storage:** Records are maintained in file folders.
- Retrievability:** Records are indexed by names.
- Safeguards:** Records are located in metal file cabinets in secured rooms with access limited to those whose official duties require access.
- Retention and disposal:** Records are maintained indefinitely. Disposal is by normal procedures.
- System manager(s) and address:**
 - 1) Director, Division of Personnel Management, ORU
 - 2) Director, Division of Training and Manpower Development, BIE
 - Consumer Product Safety Commission
 - Washington, D.C. 20207

Notification procedure: Employees and former employees: Director, Office of Resource Utilization, Consumer Product Safety Commission, 5401 Westbard Avenue, Washington, D.C. 20207.

Others: Office of the Secretary, Consumer Product Safety Commission, 1750 K Street, N.W., Suite 800, Washington, D.C. 20207.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this system of records comes from the individual to whom it applies or is derived from, information he/she supplied, except information provided by agency officials.

CPSC-7

System name: Employee Discrimination Complaint and Investigation File-CPSC

System location: Consumer Product Safety Commission Office of Equal Employment Opportunity and Minority Enterprise (OEEOME) 5401 Westbard Avenue, Washington, D.C. 20207

Categories of individuals covered by the system: Commission employees and others who have filed complaints of discrimination based on race, color, religion, sex, national origin or age.

Categories of records in the system: This record contains information pertaining to the complainant, the person against whom the complaint is filed and others having a relationship to the complaint.

Authority for maintenance of the system: FPM Part 713

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used or a record may be used for: (1) review by the assigned EEO Investigator (2) review by the Director, OEEOME (3) review by FWP, the coordinator for EEO complaints (4) referral to Office of General Counsel for legal analysis and action.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

- Storage:** Records are stored in hard copy.
- Retrievability:** Records are indexed by name.
- Safeguards:** Records are maintained in locked file cabinets in secured areas
- Retention and disposal:** Records are retained indefinitely. Disposal is by normal procedures.
- System manager(s) and address:**
 - Director, OEEOME
 - 5401 Westbard Avenue
 - Washington, D.C. 20207

Notification procedure: Present and former employees: Director, Office of Resource Utilization, Consumer Product Safety Commission, 5401 Westbard Avenue, Washington, D.C. 20207.

Others: Office of the Secretary, Consumer Product Safety Commission, 1750 K Street, N.W., Suite 1025, Washington, D.C. 20207.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this file is furnished by supervisors, co-workers and others who are involved in the complaint or have information pertaining thereto.

System location: Consumer Product Safety Commission Office of Equal Employment Opportunity and Minority Enterprise (OEEOME) 5401 Westbard Avenue, Washington, D.C. 20207

Categories of individuals covered by the system: Commission employees and others who have filed complaints of discrimination based on race, color, religion, sex, national origin or age.

Categories of records in the system: This record contains information pertaining to the complainant, the person against whom the complaint is filed and others having a relationship to the complaint.

Authority for maintenance of the system: FPM Part 713

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used or a record may be used for: (1) review by the assigned EEO Investigator (2) review by the Director, OEEOME (3) review by FWP, the coordinator for EEO complaints (4) referral to Office of General Counsel for legal analysis and action.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

- Storage:** Records are stored in hard copy.
- Retrievability:** Records are indexed by name.
- Safeguards:** Records are maintained in locked file cabinets in secured areas
- Retention and disposal:** Records are retained indefinitely. Disposal is by normal procedures.
- System manager(s) and address:**
 - Director, OEEOME
 - 5401 Westbard Avenue
 - Washington, D.C. 20207

Notification procedure: Present and former employees: Director, Office of Resource Utilization, Consumer Product Safety Commission, 5401 Westbard Avenue, Washington, D.C. 20207.

Others: Office of the Secretary, Consumer Product Safety Commission, 1750 K Street, N.W., Suite 1025, Washington, D.C. 20207.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this file is furnished by supervisors, co-workers and others who are involved in the complaint or have information pertaining thereto.

CPSC-8

System name: Employee Executive Development Program Records-CPSC

System location: Consumer Product Safety Commission, Division of Personnel Management, 5401 Westbard Avenue, Washington, D.C. 20207

Categories of individuals covered by the system: Commission employees in grade GS-13 and above.

Categories of records in the system: These records contain information relating to the education training; employment history and earnings; appraisals of 1st and 2nd line supervisors; honors, awards or fellowships; military service; birthplace, birthdate, social security number; home address; of applicants for the various executive development programs which are offered on an open Commission competitive basis. Also, records contain panel evaluations and selection rating information on successful and unsuccessful nominees; correspondence to training facilities and employees pertaining to the various executive developmental programs; statistical compilation reports submitted to OMB and CSC covering reporting requirements on CPSC employees.

Authority for maintenance of the system: Executive Order 11348, 5 USC 4103, 4104, 4108, 4109, 4110, 4113, 4118.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used or a record may be used:

- (a) To facilitate career development of employees
- (b) To provide statistical reports to Congress, agencies, and the public on characteristics of the Federal work force.

(c) To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

(c) To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information concerning the hiring or retention of an employee.

(d) To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rules, regulation, or order issued pursuant thereto.

(e) As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

(f) To provide data for the automated Central Personnel Data file (CPDF).

(g) By the Civil Service Commission for purpose of making a decision when a Federal employee or former Federal employee is questioning the validity of a specific document in an individual file.

(h) To any agency of the Federal Government having oversight or review authority with regard to Civil Service Commission activities.

(i) To provide data to update the Federal Automated Career Systems (FACS).

(j) To provide data to the Executive Inventory Files.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by combination of names or subject matter.

Safeguards: Records are located in metal file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal: Records are maintained indefinitely. Disposal is by normal procedures.

System manager(s) and address:

Director, Division of Personnel Management
Consumer Product Safety Commission
Washington, D.C. 20207

Notification procedure: Employees and Former employees:

Director, Office of Resource Utilization
Consumer Product Safety Commission
5401 Westbard Avenue
Washington, D.C. 20207

Others:

Office of the Secretary
Consumer Product Safety Commission
1750 K Street, N.W., Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this system of records is provided by the individual to whom it applies or is derived from information he/she supplied, except information provided by agency officials.

CPSC-9

System name: Employee Financial Interest Statements—CPSC

System location: Consumer Product Safety Commission, Office of Resource Utilization, Division of Personnel Management, 5401 Westbard Avenue, Room 956, Washington, D.C. 20207

Categories of individuals covered by the system: Current CPSC employees whose duties and responsibilities require the incumbent to exercise judgment in making Government decisions or in taking Government action in regard to (1) contracting or procurement, (2)

administering or monitoring grants, (3) standards development, (4) rule-making, (5) compliance activities or (6) other activities where the decision or action has an economic impact on the interest of any non-Federal enterprise.

Categories of records in the system: These records contain a list of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and educational or other institutions; (a) with which a CPSC employee, their spouse, minor child(ren) or other member of their immediate household who is of blood relation has a continuing financial interest, through a pension or retirement plan, shared income, or other arrangement as a result of any current or prior employment or business or professional association; or (c) in which the employee, their spouse, minor child(ren) or other member of their immediate household who is of blood relation has any financial interest through the ownership of stock, stock options, bonds, securities, or other arrangements including trusts.

These records also contain a list of the employees creditors, other than those to whom he may be indebted by reason of a mortgage on property which he occupies as a personal residence or to whom he may be indebted for current and ordinary household and living expenses and a list of the employees' interest in real property or rights in lands, other than property which he occupies as a personal residence.

Authority for maintenance of the system: Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used as indicated below:

(1) To assist the Chairman or designee in determining if an employee (a) has direct or indirect financial interests that conflict substantially, with his or her responsibilities and duties as a Federal employee or (b) engages in, directly or indirectly, financial transactions as a result of, or primarily relying upon, information obtained through his or her employment.

(2) To refer, where there is an indication of a violation a potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency whether Federal, state, or local charged with the responsibility of investigating or implementing the statute or rule, regulation or order issued pursuant thereto.

(3) To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, or other benefit to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders.

Retrievability: These records are indexed by the names of the individual on whom they are maintained.

Safeguards: Records are located in a combination lock GSA approved Security Container. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: These records are maintained for five years following employees separation from the CPSC. Disposal by normal procedures.

System manager(s) and address:

Director, Division of Personnel Management
Consumer Product Safety Commission
Washington, D.C. 20207

Notification procedure: Employees and former employees:

Director, Office of Resource Utilization
Consumer Product Safety Commission
5401 Westbard Avenue
Washington, D.C. 20207

Others:

Office of the Secretary
Consumer Product Safety Commission
1750 K Street, N.W., Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: The information contained in these records is provided by the individual to whom the record pertains

or is provided by other persons authorized by the individual to whom the record pertains to provide such information.

CPSC—10

System name: Employee Merit Promotion Program—CPSC

System location: Consumer Product Safety Commission, Office of Resource Utilization, Division of Personnel Management, 5401 Westbard Avenue, Room 942, Washington, D.C. 20207

Categories of individuals covered by the system: Applicants, current and former employees.

Categories of records in the system: This system of records contains information or documents relating to promotions subject to the merit promotion plan. The records consist of employment applications and performance appraisals, rating sheets and material placed into the records to support the rating.

Authority for maintenance of the system: FPM Chapter 335

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

- (1) To respond to requests from employees regarding the status of the merit promotion case.
- (2) To provide information to the Office of Equal Employment Opportunity when an individual files a discrimination complaint.
- (3) To respond to a court subpoena and/or refer to a district court in connection with a civil suit.
- (4) To adjudicate an appeal, complaint, or grievance.
- (5) To effectuate promotion of employees concerned.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained and by Merit Promotion case numbers.

Safeguards: Records are located in a metal file cabinet and access is limited to those persons whose official duties required such access.

Retention and disposal: The records are maintained up to two years after a selection has been made.

System manager(s) and address:

Director, Division of Personnel Management
Consumer Product Safety Commission
Washington, D.C. 20207

Notification procedure: Employees and former employees:

Director, Office of Resource Utilization
Consumer Product Safety Commission
5401 Westbard Avenue
Washington, D.C. 20207
Others:
Office of the Secretary
Consumer Product Safety Commission
1750 K Street, N.W.
Washington, D.C. 20207

Record access procedures: Same as notification.

Record source categories: Information in this record is provided by:

- (1) Individual to whom the record pertains,
- (2) Agency and/or Commission officials,
- (3) Affidavits or statements from employee,
- (4) Official documents relating to appeal, grievance, or complaint.
- (5) Correspondence from specific organization or persons.

CPSC—11

System name: Employee Motor Vehicle Operators and Accident Report Records—CPSC

System location: Consumer Product Safety Commission, Office of Resource Utilization, General Services Branch 5401, Westbard Avenue, Washington, D.C. 20207

Categories of individuals covered by the system: Employees of the Commission who (1) hold Government motor vehicle operator's permit and who regularly operate vehicles (2) are involved in automobile accidents.

Categories of records in the system: This record contains data on employees issued a Government motor vehicle operator's permit and reports, correspondence and fiscal documents concerning employees involved in automobile accidents.

Authority for maintenance of the system: Consumer Product Safety Act (15 USC 2051-2081) and 28 USC Chap. 171.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used as indicated below:

- (1) To identify those CPSC employees authorized to operate Government owned or government-leased vehicles.
- (2) For litigation in a Federal court when necessary.
- (3) To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.
- (4) To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant information to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, or the issuance of a license, grant, or other benefit.
- (5) To provide information or disclose to a Federal Agency, in response to its request, in connection with the hiring or retention of an employee, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy.

Retrievability: Records are indexed by card number.

Safeguards: Records are maintained in a secured area.

Retention and disposal: Records on driver's permits are retained for one year after employee is terminated. Records on automobile accidents are retained for two years after accident. Disposal is by normal procedures.

System manager(s) and address:

Chief, General Services Branch
5401 Westbard Avenue, Room 629
Washington, D.C. 20207

Notification procedure: Employees and former employees:

Director, Office of Resource Utilization
Consumer Product Safety Commission
5401 Westbard Avenue
Washington, D.C. 20207
Others:
Office of the Secretary
Consumer Product Safety Commission
1750 K Street, N.W., Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: The information in this record is furnished by the employee. Information on accidents is furnished by the employee and witnesses to the accident.

CPSC—12

System name: Employee Outside Activity Notice—CPSC

System location: Consumer Product Safety Commission, Office of the Executive Director, 5401 Westbard Avenue, Washington, D.C. 20207

Categories of individuals covered by the system: Commission employees carrying on outside activities such as consultative services, practice of law, teaching, etc.

Categories of records in the system: This system of records contains information concerning the employee's position, nature of outside activity, relation of official duties to activity, and method of compensation for outside activity.

Authority for maintenance of the system: Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these

records is used by the Executive Director in making a determination as to whether an employee's outside activity constitutes a real or apparent conflict of interest.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on hard copy.

Retrievability: Records are indexed by employee name.

Safeguards: Records are maintained in locked file cabinets in a secured area.

Retention and disposal: Records are maintained until employee terminates with agency. Disposal is by normal procedures.

System manager(s) and address: Executive Director, 5401 Westbard Avenue, Washington, D.C. 20207

Notification procedure: Employees and former employees:

Director, Office of Resource Utilization
Consumer Product Safety Commission
5401 Westbard Avenue
Washington, D.C. 20207

Others:

Office of the Secretary
Consumer Product Safety Commission
1750 K Street, N.W., Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: The information in this record is furnished by the employee to whom it pertains.

CPSC-13

System name: Employee Payroll, Leave and Travel Records—CPSC

System location: Consumer Product Safety Commission, Office of Resource Utilization, Finance Division, 5401 Westbard Avenue, Washington, D.C. 20207

Categories of individuals covered by the system: All employees of CPSC and non-government personnel acting on official CPSC business in connection with their pay, leave, and travel.

Categories of records in the system: These records contain personal information, such as Social Security number, name, wages paid, deductions, etc., and normal accounting information such as Social Security number, name, amount paid, budget allocation codes, etc.

Authority for maintenance of the system: Budget and Accounting Procedures Act of 1950 (31 USC 1151)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used by the Finance Branch for verification of payroll data, for reconciliation of associated General Ledger Accounts, and for general support of accounting records.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tape, punch card and in hard copy.

Retrievability: Records are indexed by name and social security number.

Safeguards: Records are maintained in a secured area in locked file cabinets, with access limited to employees of Finance Division with bona fide need for the records.

Retention and disposal: Records are maintained for two full years after the end of fiscal year and then, with approval of GAO, forwarded to a Federal Records Center or destroyed by normal procedures.

System manager(s) and address:

Director, Finance Division
Office of Resource Utilization
5401 Westbard Avenue
Washington, D.C. 20207

Notification procedure:

Office of the Secretary
Consumer Product Safety Commission
1750 K Street, N.W., Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in these records is furnished by the employee to whom the records pertain or compiled by the relevant agency or organizations from existing records.

CPSC-14

System name: Employee Personal Data File—CPSC

System location: The records are maintained in the Office, Bureau or Area Office to which the employee is assigned.

Categories of individuals covered by the system: Current CPSC employees and those employed by CPSC during the past 2 years.

Categories of records in the system: This record contains payroll and personnel information including employee number, organization code, type of appointment, tenure (tour of duty), social security number, date of birth, veterans preference, education, security clearance, sex, home phone number, present salary (annual), grade, step (in grade), series, subseries, entry on duty, service computation date, benefits presently deducted from paycheck, date last promotion, date of last periodic step increase, FLSA, Building (or area office) room number, employment phone number, employee name.

Authority for maintenance of the system: FPM, Chapter 292

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used or a record may be used:

(1) By agency officials for purposes of review in connection with appointments, transfers, promotions, reassignments, adverse actions, disciplinary actions, and determination of qualifications of an individual.

(2) To provide statistical reports to Congress, agencies, and the public on characteristics of the Federal work force.

(3) As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

(4) To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

(5) To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, or the issuance of a license, grant or other benefit.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, magnetic tape, and punched cards.

Retrievability: Records are indexed by any combination of name, birth date, social security number, or identification number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal: The Personal Data Files are retained indefinitely. Disposal is by normal procedures.

System manager(s) and address:

Director of the Office, Bureau or Area Office maintaining the record.

Notification procedure: Contact the system manager or Division of Personnel Management, Office of Resource Utilization, 5401 Westbard Avenue, Washington, D.C. 20207.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this system of records comes either from the individuals to whom it applies or is derived from his/her official personnel folder.

CPSC—15

System name: Employee Relations Files—CPSC

System location: Consumer Product Safety Commission, Office of Resource Utilization, Division of Personnel Management, 5401 Westbard Avenue, Room 942, Washington, D.C. 20207.

Categories of individuals covered by the system: Current and former employees of the Consumer Product Safety Commission.

Categories of records in the system: This system of records contains information or documents relating to: (1) disciplinary actions, complaints, grievances, potential adverse actions, and proposals, decisions, or determinations made by management relative to the foregoing; retirement records.

The records consist of the notices to the individuals, records of resolutions of complaints, materials placed into the record to support the decision or determination, affidavits or statements.

Authority for maintenance of the system: 5 USC 1302, 3301, 4308, 5115, 5338, 7151, 7301, 7701, 8347, Executive Orders 9830, 10987, 11222, 11478, 11491.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used: (1) To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance. (2) To provide information to the public on the decision of an appeal, complaint, or grievance required by the Freedom of Information Act. (3) To respond to a court subpoena and/or refer to a district court in connection with a civil suit. (4) To adjudicate or resolve an appeal, complaint, or grievance. (5) As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions. (6) To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto. (7) To request information from a federal, state or local agency maintaining Civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, or the issuance of a license, grant, or other benefit. (8) To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, or issuance of a license, grant or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision of that matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained.

Safeguards: Records are located in a combination lock metal file cabinet and access is limited to those persons whose official duties required such access.

Retention and disposal: The records are maintained up to two years after an employee has left the Consumer Product Safety Commission. Disposal is by normal procedures.

System manager(s) and address:

Director, Division of Personnel Management
Consumer Product Safety Commission
Washington, D.C. 20207

Notification procedure: Employees and former employees:

Director, Office of Resource Utilization
Consumer Product Safety Commission
5401 Westbard Avenue
Washington, D.C. 20207

Others:

Office of the Secretary
Consumer Product Safety Commission
1750 K Street, N.W., Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in these records is furnished by: (1) Individual to whom the record pertains (2) Agency and/or Commission officials (3) Affidavits or statements from employee (4) Testimonies of witnesses (5) Official documents relating to appeal, grievance, or complaints (6) Correspondence from specific organization or persons.

CPSC—16

System name: Employee Upward Mobility Counseling Files—CPSC

System location: Office of Equal Employment Opportunity and Minority Enterprise, 5401 Westbard Avenue, Washington, D.C. 20207

Categories of individuals covered by the system: All persons participating in the Upward Mobility Program.

Categories of records in the system: This record contains information regarding the counseling of employees to assist them in enhancing their career in the Federal system; contains personal data on employees seeking advancement.

Authority for maintenance of the system: FPM Chapter 713

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records in review by the Upward Mobility Counselor and Director, OEEOME, in counseling and placing employees.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy.

Retrievability: Records are indexed by name.

Safeguards: Records are maintained in locked files in a secured area.

Retention and disposal: Records are retained until employee reaches goal. Disposal is by normal procedures.

System manager(s) and address: EEO Specialist, Office of Equal Employment Opportunity 5401 Westbard Avenue, Washington, D.C. 20207.

Notification procedure: Employees and former employees:

Director, Office of Resource Utilization
Consumer Product Safety Commission
5401 Westbard Avenue
Washington, D.C.

Others:

Office of the Secretary
Consumer Product Safety Commission
1750 K Street, N.W., Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this record is furnished by the employee to whom it pertains.

CPSC—17

System name: Upward Mobility Program Training Records—CPSC

System location: Division of Personnel Management, Consumer Product Safety Commission, 5401 Westbard Avenue, Washington, D.C. 20207

Categories of individuals covered by the system: CPSC employees in a position with little or no promotion potential.

Categories of records in the system: Records contain data on CPSC employees including approved career development plans; applications for training in government and non-government facilities; approvals; disapprovals; cancellations and deferrals of course offerings; evaluations of course offerings; records on payment of training bills; statistical reports on training activities. Also, evaluations on each employee regarding his/her academic record and positions applied for in open competition based on merit promotion procedures.

Authority for maintenance of the system: FPM Chapter 713

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used or a record may be used:

(a) To facilitate training and career development of CPSC employees.

(b) To provide statistical reports to Congress, agencies, and the public on characteristics of the Federal work force.

(c) To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

(d) To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information concerning the hiring or retention of an employee.

(e) To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violations or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

(f) As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

(g) To provide data for the automated Central Personnel Data File (CPDF).

(h) By the Civil Service Commission for purpose of making a decision when a Federal employee or former Federal employee is questioning the validity of a specific document in an individual file.

(i) To any agency of the Federal Government having oversight or review authority with regard to Civil Service Commission activities.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by combination of names or subject matter.

Safeguards: Records are located in metal file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal: Records are retained indefinitely. Disposal is by normal procedures.

System manager(s) and address:

Director, Division of Personnel Management
Consumer Product Safety Commission
Washington, D.C. 20207

Notification procedure: Employees and former employees:

Director, Office of Resource Utilization
Consumer Product Safety Commission
5401 Westbard Avenue
Washington, D.C. 20207

Others:

Office of the Secretary
Consumer Product Safety Commission
1750 K Street, N.W., Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this system of records is furnished by the individual to whom it pertains or is developed from information the individual supplied.

CPSC—18

System name: Job Applicant Files—CPSC

System location: These records are maintained in the offices and bureaus as indicated in the Appendix I.

Categories of individuals covered by the system: Applicants for employment who have forwarded resumes or Standard Form 171's to the Commission.

Categories of records in the system: These records contain personal data and job history in the form of a resume or Standard Form 171.

Categories of records in the system: FPM Chapters 333 and 713.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these files is reviewed as vacancies occur for the purpose of placement.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy.

Retrievability: Records are indexed alphabetically by name of applicant within general job categories.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are maintained up to two years and disposal is by normal procedures.

System manager(s) and address: Director of Office or bureau maintains the record.

Notification procedure: Present and former employees:

Director, Office of Resource Utilization
Consumer Product Safety Commission
5401 Westbard Avenue
Washington, D.C. 20207

Other:

Office of the Secretary
Consumer Product Safety Commission
1750 K Street, N.W., Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this record is furnished by the person to whom it pertains.

CPSC—19

System name: Labor Management Relations Files—CPSC

System location: Consumer Product Safety Commission, Office of Resource Utilization, Division of Personnel Management, 5401 Westbard Avenue, Room 942, Washington, D.C. 20207.

Categories of individuals covered by the system: CPSC employees involved in union activity, whether in the capacity of an officer or a rank and file employee utilizing the grievance machinery.

Categories of records in the system: These records contain data relating to (1) employees involved in the maintenance of the labor-management program or (2) employees presenting grievances under the collective bargaining agreement.

Authority for maintenance of the system: Executive Order 11491.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Material in these records are used primarily for reference except in the case of grievances, where information may be essential to prepare for a hearing.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained.

Safeguards: Records are located in a combination lock metal file cabinet and access is limited to those persons whose official duties required such access.

Retention and disposal: The records are maintained up to two years after an employee has left the Consumer Product Safety Commission.

System manager(s) and address:

Director, Division of Personnel Management
Consumer Product Safety Commission
Washington, D.C. 20207

Notification procedure: Present and former employees:

Director, Office of Resource Utilization
Consumer Product Safety Commission
5401 Westbard Avenue
Washington, D.C. 20207

Other:

Office of the Secretary
Consumer Product Safety Commission
1750 K Street, N.W., Suite 1025
Washington, D.C. 20207

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this record is furnished by:

- (1) Individual to whom the record pertains
- (2) Agency and/or Commission official
- (3) Affidavits or statements from employee
- (4) Testimonies of witnesses
- (5) Official document relating to grievance
- (6) Correspondence from specific organization or persons

APPENDIX I

The following units of the Consumer Product Safety Commission maintain job applicant files as indicated by the Notice of System of Records designated CPSC-18.

Office of Equal Employment Opportunity and Minority Enterprise

5401 Westbard Avenue
Washington, D.C. 20207

Office of Resource Utilization
Division of Personnel Management
5401 Westbard Avenue
Washington, D.C. 20207

Office of the General Counsel
1750 K Street, N.W.

Washington, D.C. 20207
Office of the Medical Director

5401 Westbard Avenue
Washington, D.C. 20207
Office of Product Defect Identification
5401 Westbard Avenue
Washington, D.C. 20207

Office of Program Planning and Evaluation

5401 Westbard Avenue
Washington, D.C. 20207
Office of Standards Coordination and Appraisal

5401 Westbard Avenue
Washington, D.C. 20207
Bureau of Biomedical Sciences

5401 Westbard Avenue
Washington, D.C. 20207
Bureau of Economic Analysis

5401 Westbard Avenue
Washington, D.C. 20207
Bureau of Information and Education
5401 Westbard Avenue
Washington, D.C. 20207

Area Offices:

Atlanta Area Office
1330 West Peachtree Street, N.W.
Atlanta, Georgia 30309

Boston Area Office
100 Summer Street, 16th Fl.Rm. 1607
Boston, Mass. 02110

Chicago Area Office
230 S. Dearborn Street, Room 2945
Chicago, Illinois 60604

Cleveland Area Office
Plaza Nine Building, Room 520
55 Erie View Plaza
Cleveland, Ohio 44114

Dallas Area Office
Room 410C, 500 South Ervay
Dallas, Texas 75201

Denver Area Office
Suite 938, Guaranty Bank Bldg.
817 17th Street

Denver, Colorado 90202

Kansas City Area Office
Suite 1500, Traders National Bank Bldg.
1125 Grand Avenue

Kansas City, Missouri 64206

Minneapolis Area Office
Room 650 Fedex Bldg.

Fort Snelling
Twin Cities, Minnesota 55111

New Orleans Area Office
Suite 414, International Trade Mart
2 Canal Street

New Orleans, Louisiana 70130

New York Area Office

6 World TradeCenter

Vesey Street, 6th Floor

New York, N.Y. 10048

Philadelphia Area Office

10th Floor, 400 Market Street

Philadelphia, Pa. 19106

San Francisco Area Office

Suite 500, 100 Pine Street

San Francisco, Calif. 94111